



User Manual

Case Management/ Electronic Case Filing System (CM/ECF)

Effective
July 5, 2005

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CM/ECF User's Manual
Middle District of Tennessee

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INTRODUCTION

The United States District Court for the Middle District of Tennessee has implemented the Case Management/Electronic Case Filing System (CM/ECF) developed by the Administrative Office of the Federal Judiciary. CM/ECF is now in use by most District Courts in the country.

CM/ECF revolutionizes the way attorneys file documents and manage their cases. Attorneys may file documents from the privacy of their office, or from anywhere with Internet access. Using CM/ECF, attorneys receive instantaneous notice by e-mail of filings, and may view and/or copy documents, not only in their own cases, but other cases as well.

All civil, criminal, and miscellaneous actions filed on or after July 5, 2005 are subject to the Court's CM/ECF filing requirements, unless exempted by the presiding judge, Administrative Order No. 167 (Administrative Practices and Procedures for Electronic Case Filing). Local Rule 29, Administrative Order No. 167, and this Manual govern the use of CM/ECF in this Court.

The Clerk's Office has developed training materials for CM/ECF. Training will be offered at the courthouse on a regular basis. Please see the Court's web site at <http://www.tnmd.uscourts.gov> for a current training schedule or call (615) 695-2888, (866) 720-TNMD, or (866) 720-8663.

The Court welcomes input to improve CM/ECF. Please e-mail comments and suggestions to cmecf@tnmd.uscourts.gov.

CHAPTER 1 GETTING STARTED

I. GENERAL INFORMATION.

- A. User Manual. The most recent version of this Manual may be downloaded from the Court's website at <http://www.tnmd.uscourts.gov>.¹
- B. Local Rules of Court. Local Rule 29 pertains to CM/ECF and is attached at Appendix A.
- C. Administrative Practices and Procedures for Electronic Case Filing, Administrative Order No. 167. Administrative Order 167 pertains to CM/ECF and is attached at Appendix B.
- D. Registration. The registration form is attached at Appendix C.
- E. Help Desk. Users² may obtain assistance from the CM/ECF Help Desk by calling (615) 695-2888, (866) 720-TNMD, or (866) 720-8663 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday (CST).
- F. Training.
 - 1. Training is provided at the courthouse in Nashville on a regular basis. Please see the Court's web site at <http://www.tnmd.uscourts.gov> for a current training schedule or call (615) 695-2888, (866) 720-TNMD, or (866) 720-8663.
 - 2. An online tutorial is available on the Court's web site at <http://www.tnmd.uscourts.gov>.
- G. Civil and Criminal Event Lists. The civil and criminal event lists are attached at Appendix D.
- H. Attaching Large Exhibits. Instructions for attaching large exhibits to docket entries are included at Appendix E.

II. REQUIREMENTS.

- A. Hardware and Software.
 - 1. A personal computer with a standard operating system such as Microsoft Windows or Macintosh;
 - 2. Word processing software compatible with PDF creation software. Examples are WordPerfect or Microsoft Word for PC or Macintosh;
 - 3. Adobe Acrobat version 3.0 or higher (reader & writer), or similar software capable of

¹ The manual is best viewed using Adobe Acrobat Reader version 5.0 or later. Acrobat Reader may be downloaded free from Adobe's website at <http://www.adobe.com>.

² For purposes of this manual, a "user" is an individual registered with the Court to whom the Court has issued a CM/ECF login and password. Although CM/ECF is primarily intended for the use of licensed attorneys, *pro se* parties who demonstrate the necessary computer skills, and who have access to the appropriate computer systems, may seek the Court's permission to use CM/ECF on a case-by-case basis.

converting documents from a word processor format to PDF format.

Note 1-1: Adobe Acrobat Publisher is included in WordPerfect versions 9 and 10. Using Adobe Acrobat Publisher in WordPerfect versions 9 and 10 to convert documents to PDF format is not recommended for use with CM/ECF because files created using Adobe Acrobat Publisher are very large.

4. An Internet provider using point-to-point protocol (PPP), with access speed of at least 56k;
5. A compatible Internet browser (one hundred twenty-eight (128) bit encryption recommended) such as Internet Explorer version 5.5, and Netscape browser version 4.6x and 4.7x or greater;
6. A scanner to convert paper documents that are not, or cannot, be prepared using a word processing program, *e.g.*, documents filed as exhibits such as medical records, transcripts of depositions, etc.

Note 1-2: Scan documents at a resolution of 200 to 240 dpi. Resolutions greater than 240 dpi tend to clutter the electronic transfer with random markings. Documents also should be scanned with the “black and white” setting, unless the image requires that it be scanned in color.

B. CM/ECF Account.

1. Only members of the bar of this Court, attorneys appearing *pro hac vice*, or *pro se* litigants with permission of the Court, may obtain a CM/ECF account.
2. Users must register with the Court to receive a login and password. Registration forms are available on the Court’s website at <http://www.tnmd.uscourts.gov/register.html>, in Appendix C of this manual, or at the United States District Court Clerk’s Office, 801 Broadway, Room 800, Nashville, TN 37203.
3. The registration form requires users to certify that they will read and comply with Administrative Order 167 and this Manual. Classroom training is mandatory for all attorneys admitted to practice pursuant to Local Rule 1(c) after the effective date of Administrative Order 167.
4. Completed registration forms may be sent via e-mail as provided in the form or sent to ATTN: CM/ECF Registration Form, U.S. District Court, 801 Broadway, Room 800, Nashville, TN 37203.

C. CM/ECF Login and Password.

1. After receiving a properly completed and signed registration form, the Clerk’s Office will send the login and password to the applicant by e-mail, using the e-mail address provided in the registration form. The login and password are both case-sensitive. Therefore, the login and password must be entered exactly as shown in the e-mail. If you are unable to log onto the system, contact the CM/ECF Help Desk at (615) 695-2888, (866) 720-TNMD,

or (866) 720-8663.

2. Registering as a user constitutes consent to electronic service of all documents as provided in Administrative Order 167, by Local Rule 29, and by any applicable rule of procedure.
3. Using the login and password issued to file documents electronically constitutes the user's signature on those documents for all purposes, including those of the Federal Rules of Civil and Criminal Procedure, and the Local Rules of Court.
4. Users agree to protect the security of their login and password, and may not knowingly permit their login and password to be used by anyone other than their authorized agent. A user who believes that their password has been compromised shall notify the Clerk's Office immediately by calling the CM/ECF Help Desk at (615) 695-2888, (866) 720-TNMD, or (866) 720-8663 and shall give notice electronically to cmecf@tnmd.uscourts.gov.
5. The user's initial password is computer-generated. After receiving the login and password, users may customize their password. To customize a password, use CM/ECF's [Utilities] feature.³ See Ch. 6 in this Manual for an overview of the [Utilities] feature. Assigned logins may not be customized.
6. If a user forgets his or her password, contact the CM/ECF Help Desk at (615) 695-2888, (866) 720-TNMD, or (866) 720-8663 to have a new password issued. The user will be asked for his or her Board of Professional Responsibility (BPR) number to verify his or her identity. The user must make the call personally. New passwords will not be issued at the request of others calling on the user's behalf. Do not submit another registration form.

D. Public Access to Court Electronic Records (PACER) Account.

1. Users must have a PACER account to access CM/ECF, and to use CM/ECF's [Query] and [Report] features.
2. CM/ECF and PACER are different.⁴ CM/ECF permits a user to file documents electronically, and to receive e-mail notification of activity in cases in which the user is counsel of record, as well as other cases in which the user has requested electronic notification. CM/ECF also enables a user to view docket sheets and other court documents through the one-time link to its Notification of Electronic Filing feature. PACER, on the other hand, permits a user to view docket sheets and documents that have been filed electronically. In other words, apart from the one-time link to Notification of Electronic

³ CM/ECF command buttons appear in [\[bold, blue print in brackets\]](#).

⁴ A detailed explanation of PACER is beyond the scope of this Manual. For more information about obtaining a PACER account, or about billing and payment, contact the PACER Service Center at (800) 676-6856 or (210) 301-6440, or visit the PACER registration page at <http://www.pacer.uscourts.gov>. A link to PACER's web site also is provided on the Court's web site at <http://www.tnmd.uscourts.gov>.

filing, documents cannot be viewed using CM/ECF, and documents cannot be filed using PACER.

3. The Judicial Conference of the United States has the authority to impose user fees for electronic access to case information. All registered PACER users will be assessed a charge of \$.08 per page not to exceed \$2.40 (or the equivalent of 30 pages) to access any single document.

CHAPTER 2 PREPARING DOCUMENTS

I. SOFTWARE REQUIREMENTS.

- A. Creating and Filing Documents. Documents filed in CM/ECF are required to be submitted in PDF format. Creating and filing PDF documents in CM/ECF requires a PDF-writer to convert word processing documents to PDF.¹
- B. Viewing Documents. A PDF viewer, such as Adobe Acrobat Reader, is required to view documents that have been filed using CM/ECF.²

II. PDF DOCUMENTS.³

- A. Converting Documents to PDF Format. The conversion process for different word processing applications is described below:
 - 1. Preferred Method (for most word processing programs):
 - a. Open the document to be converted.
 - b. Select the [Print] option and click on the option to change the selected printer. A drop-down menu with a list of printers will appear.
 - c. Select the appropriate PDF Writer, *e.g.*, Adobe Acrobat.
 - d. Select the [Print] option again. The file should not print. Instead, the option to save the file in PDF format will appear.
 - e. Click on [Save] to save the file in PDF format. The original document will be saved in its original format under its original file name.
 - 2. Microsoft Word Version 95, 97, or 2000:
 - a. Open the document to be converted.
 - b. Select [File] in the menu and then click on [Create PDF].
 - c. Save the file as a PDF file, giving it a PDF extension.
 - d. Click on [Save] to save the file in PDF format. The original document will be saved in its original format under its original file name.
 - 3. Microsoft Word Office XP:
 - a. Open the document to be converted.

¹ Adobe Acrobat Publisher in WordPerfect Versions 9 and 10 should not be used for this purpose.

² A free version of Acrobat Reader may be downloaded from the Adobe web site at <http://www.adobe.com>.

³ There are two types of PDF documents – electronically converted PDF documents, and scanned image PDF documents. Electronically converted PDF documents are created from word processing documents (WordPerfect, MS Word, etc.) using PDF conversion software. Electronically converted PDF documents are text searchable. Scanned image PDF documents are created from paper documents scanned into the system. Scanned image PDF documents are not searchable and are larger than electronically converted PDF documents.

- b. Click on [Create Adobe PDF] on the toolbar.
- c. Save the file as a PDF file, giving it a PDF extension.
- d. Click on [Save] to save the file in PDF format. The original document will be saved in its original format under its original file name.

Note 2-1: Users are encouraged to assign a descriptive name to PDF documents that includes the case number, nature of the pleading, and the date the document was transmitted. Instruction on organizing and/or naming CM/ECF files may be found at <http://pacer.psc.uscourts.gov/ecfcbt/dc/filemgt1/> and <http://pacer.psc.uscourts.gov/ecfcbt/dc/filemgt2/>.

B Viewing a PDF File.

1. Open Adobe Acrobat.
2. Select [File] from the menu bar, then click on [Open] in the drop-down menu.
3. Locate and click on the PDF document to be viewed.
4. Adobe Acrobat will load the file and display it on the screen.
5. Use the scroll bars and buttons to navigate within the document.
6. Click on [View] in the menu to select other options for viewing the document.

CHAPTER 3 GENERAL RULES

I. INITIATING AN ACTION.

A. Presenting the Case for Filing.

1. Initial documents, such as a Complaint and Summons in a civil case, must be served in accordance with Rule 4 of the Federal Rules of Civil Procedure and not via the Court's Electronic Case Filing System (CM/ECF). Civil Complaints, charging documents in criminal cases, and removal documents from State Court must be filed by Filing Users on paper in the traditional manner and not electronically and must be accompanied by a disk or CD-ROM containing the document in PDF format.
2. Users are required to label the disk or CD-ROM as follows:
 - a. The name of the filing party.
 - b. The type of document(s) being filed.
 - c. The number of documents on the disk or CD-ROM.

Note 3-1: Attachments are required to be filed as separate PDF documents. All documents may be included on a single disk or CD-ROM.

- B. Opening the Case. The Clerk's Office will open the case and electronically file the Complaint, or other initiating document, as well as any other documents submitted. The party filing the documents will be notified electronically that the documents have been filed, the case number, and the judge assigned to the action.
- C. Summonses. Summonses are not served electronically. The Clerk's Office will issue Summonses. Summonses shall be served as provided in Fed. R. Civ. P. 4. Paper Summonses will be returned to the party for service or, if appropriate, sent to the U.S. Marshal to be served.

II. SIGNATURES.

- A. Attorney's Signature. The attorney's user login and password serve as the user's signature for purposes of Rule 11, Fed. R. Civ. P., and for all other purposes under the Federal Rules of Civil and Criminal Procedure, as well as the Local Rules of Court. Electronically filed documents shall set forth the Filing User's name, address, telephone number and Board of Professional Responsibility registration number. In addition, the Filing User's name shall be (1) typed in the space where the signature would otherwise appear preceded by the symbol "s/"; or (2) inserted by facsimile signature.
- B. Multiple Signatures. When filing documents with more than one signature, the user shall:
 1. File a scanned image of the document containing all necessary signatures; or
 2. File the document without the requisite signatures but with a representation by the Filing

User that all signatories consent to filing the document; or

3. File the document in any other manner approved by the Court.

- C. Sworn Documents. Documents bearing original signatures and/or notary seals shall be filed by electronically filing a scanned document containing all necessary signatures. Users who file such documents must retain the original of the document for one (1) year after all time periods for appeal have expired.
- D. Unsworn Documents. Documents containing original signatures which require either verification or an unsworn declaration under any rule or statute shall be filed electronically, with originally executed copies maintained by the filer. Users who file such documents must retain the original of the document for one (1) year after all time periods for appeal have expired.
- E. Objections to Authenticity. A party who disputes the authenticity of an electronically filed document containing multiple signatures, or third-party signatures, shall file an objection to the document within ten (10) days of the date of the Notice of Electronic Filing.

III. **EFFECT ON TIME COMPUTATION.** Electronic service under Local Rule 29 is complete upon transmission and is the equivalent of service by mail within the meaning of Rule 6(e), Fed. R. Civ. P. Therefore, the additional three (3) days to do an act or take a proceeding after service of a document by mail still applies when service is made electronically. CM/ECF calculates the time for responses to pleadings and motions. If a different deadline is provided by law, regulation, court order, local rules or agreement, it governs.

IV. **SEALED DOCUMENTS.** A party seeking to file documents under seal must (1) electronically file a motion for leave of Court to do so via the Court's Electronic Filing System; and (2) by separate entry immediately thereafter, submit the proposed sealed documents by selecting the "Sealed Document" event option in the Court's Electronic Filing System. Electronic service of sealed documents is not allowed. A party must serve the sealed documents in the traditional manner. When documents are ordered to be placed under seal, the Clerk will officially file the documents and such documents will be electronically accessible only to the Court.

V. **PRIVACY.** Unless otherwise ordered by the Court, attorneys shall modify as follows the personal information in documents filed electronically:

- A. Social security numbers. Use only the last four digits.
- B. Names of minor children. Use only the initials.
- C. Dates of birth. Use only the year of birth.
- D. Financial account numbers. Use only the last four digits of the account number.
- E. Home Address. Use only the city and state.

Note 3-2: The responsibility for redacting the foregoing personal information rests solely with counsel

and the parties. The Clerk's Office will not review filed documents to ensure compliance. An unredacted document may be filed under seal only upon order of the Court.

- VI. DISCOVERY. Pursuant to Fed. R. Civ. P. 5(d) and Local Rule 9(c)(1), depositions, interrogatories, requests for production of documents, requests for admissions, and responses thereto shall not be filed, except by order of the Court. These documents cannot be sent to opposing counsel using CM/ECF. CM/ECF is to be used only for the purpose of filing documents in a case. With consent, however, parties may serve these documents on one another by electronic means. See Rule 5, Fed. R. Civ. P.
- VII. DOCUMENTS FILED IN ERROR. Parties who file documents in error shall notify the Clerk's Office with the case number and docket number of the document filed in error. If appropriate, the Clerk's Office will make an entry indicating that the document was filed in error. The document may have to be refiled.

Note 3-3: CM/ECF does not permit the user to make changes to a misfiled document, or incorrect docket entry, after the transaction has been accepted.

- VIII. TECHNICAL FAILURES. A user whose filing is made untimely as the result of a CM/ECF technical failure may seek appropriate relief from the Court.

CHAPTER 4 ACCESSING AND LOGGING ON CM/ECF

I. ACCESSING CM/ECF.

- A. Access CM/ECF by going to the Court's website at <http://www.tnmd.uscourts.gov> and clicking on the [CM/ECF] button in the menu on the left side of the screen as shown in Figure 4-1 below.



Figure 4-1

- B. After clicking on the [CM/ECF] button in the previous Figure 4-1, the screen in Figure 4-2 below will appear.

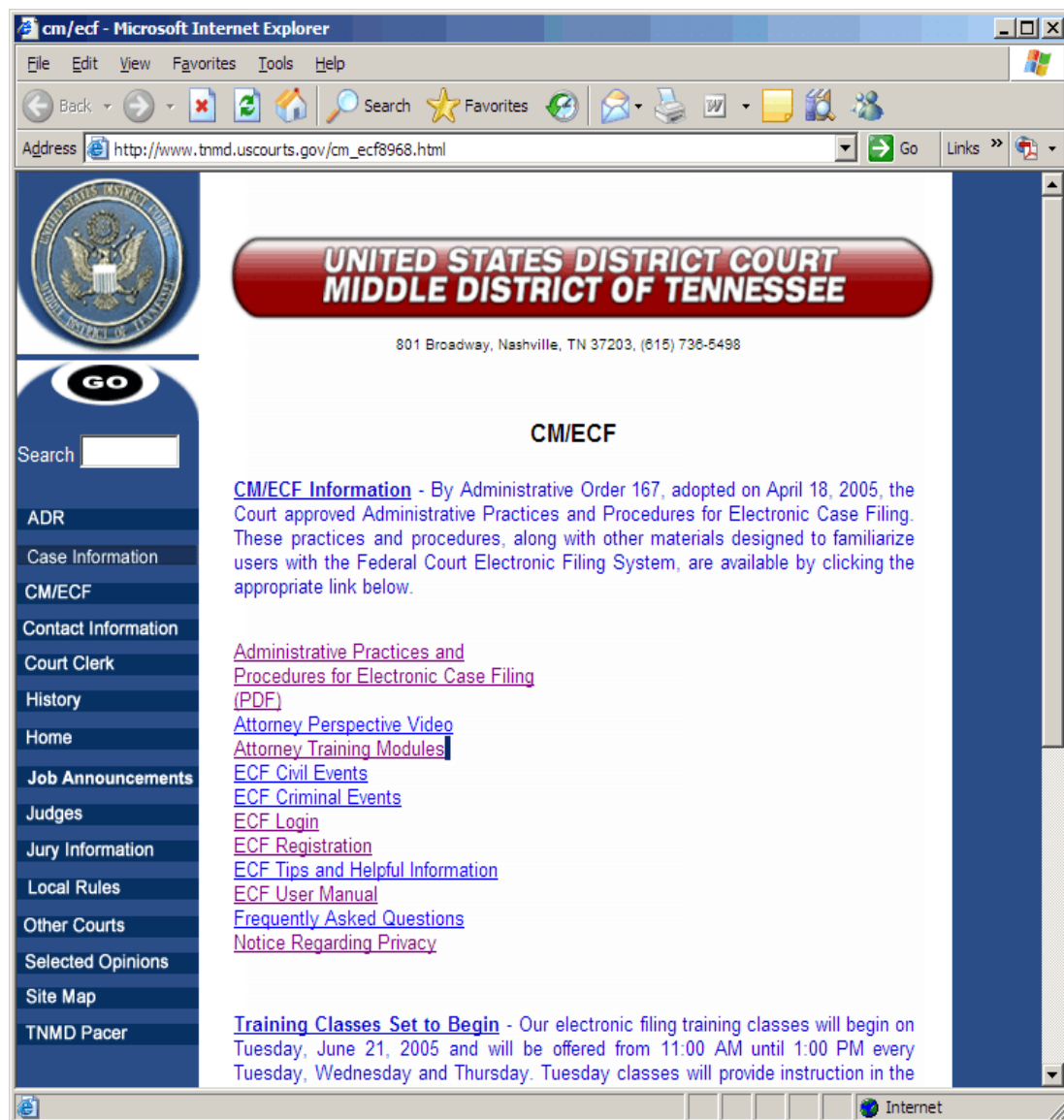


Figure 4-2

- C. Click on ECF Login and the screen in Figure 4-3 below will appear.

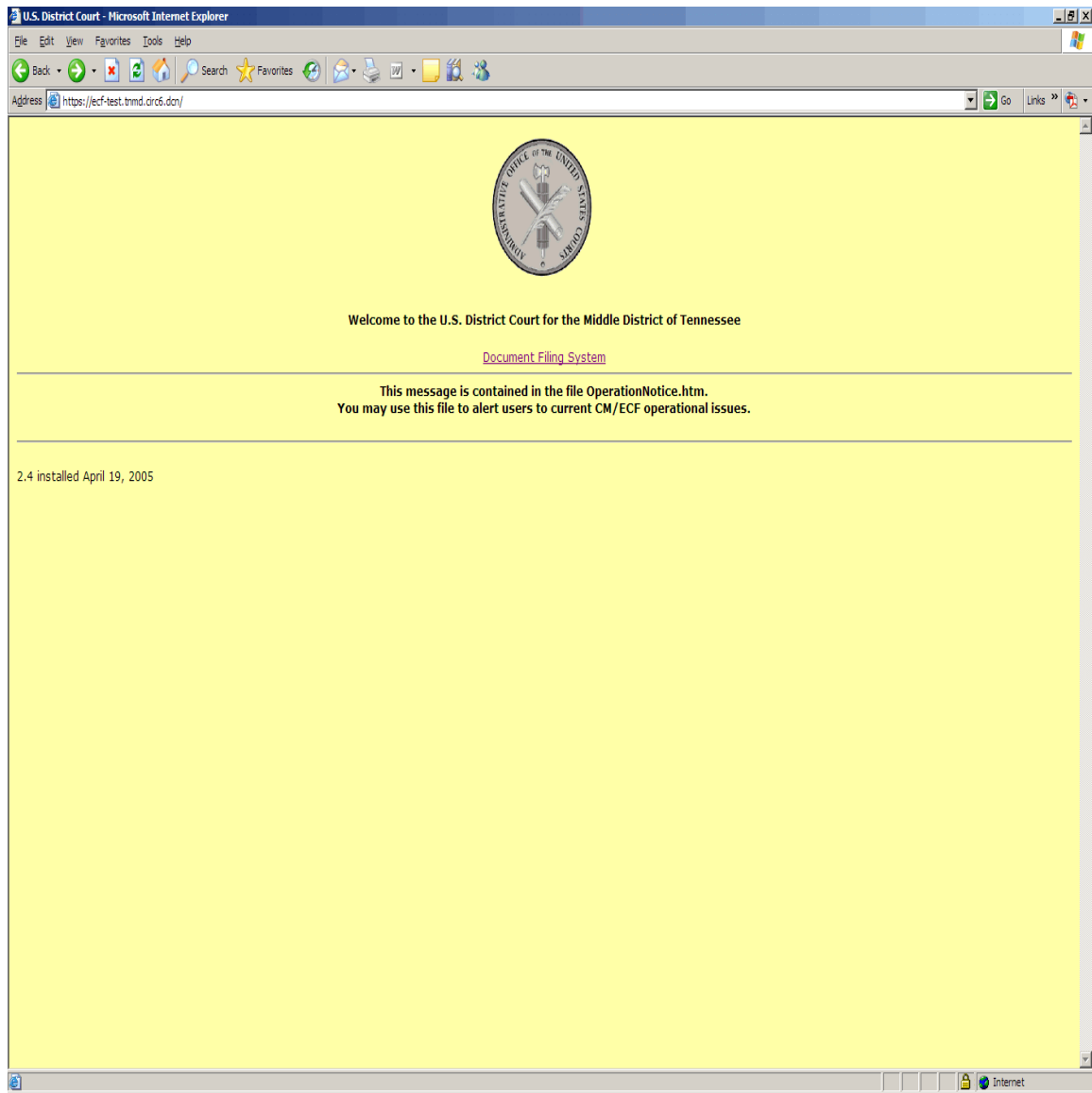


Figure 4-3

Note 4-1: Users also may access CM/ECF by entering the following Uniform Resource Locator (URL) in the web browser's address window at <http://ecf.tnmd.uscourts.gov>. The user will be connected directly to the main CM/ECF Official Court Electronic Document Filing System screen shown in Figure 4-3 above.

II. LOGGING ON.

- A. Click on the [Document Filing System] hyperlink shown in the previous Figure 4-3 and the ECF/PACER Login screen in Figure 4-4 will open. Enter the user's password, login, and client code¹ in the fields provided, and click on the [Login] button.

CH/ECF-Test - DC V2.4 (April 2005) - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites

Address https://ecf-test.bmd.crc6.don/cgi-bin/login.pl?1013195974763814_238_0-1 Go Links

ECF Civil Criminal Query Reports Utilities Logout

PACER Login

Notice
This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

Instructions
Enter your ECF login and password for electronic filing capabilities. If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may register online at <http://pacer.psc.uscourts.gov> or call the PACER Service Center at (800) 676-6856 or (210) 301-6440.

An access fee of \$.08 per page (rate increase effective January 1st, 2005), as approved by the Judicial Conference of the United States, will be assessed for access to this service. At that time all inquiries will be charged to your PACER account. If you do not need filing capabilities, enter your PACER login and password. The Client code is provided to the PACER user as a means of tracking transactions by client. This code can be up to thirty two alphanumeric characters long.

Authentication

Login:

Password:

Client code:

☐ Make this my default PACER login

Login Reset

Figure 4-4

Note 4-2: Use the CM/ECF login and password if filing a document or maintaining the CM/ECF user account. If querying the database for case information or to view a document, enter the PACER login and password.

¹ The client code field is provided so that, when using PACER, attorneys may track system use by client for billing purposes.

- B. Verify that the CM/ECF login and password have been entered correctly. If they have, click on the [Login] button shown in the previous Figure 4-4 to continue. If the login and/or password has/have not been entered correctly, delete the incorrect information, enter the correct information, then click on the [Login] button. If an incorrect login and/or password is/are entered, and the user mistakenly clicks on the [Login] button, the following alert will be displayed.

Login failed either your login
name or key is incorrect.

If the alert shown above appears, click on the browser's [Back] button, and enter the correct information. After entering the correct login and password, click on the [Login] button. If CM/ECF still does not recognize the login and password, contact the CM/ECF Help Desk at (615) 695-2888, (866) 720-TNMD, or (866) 720-8663.

- C. After entering the correct CM/ECF login and password, and clicking on the [Login] button, the main CM/ECF Official Court Electronic Document Filing System screen shown at Figure 4-5 below will open.

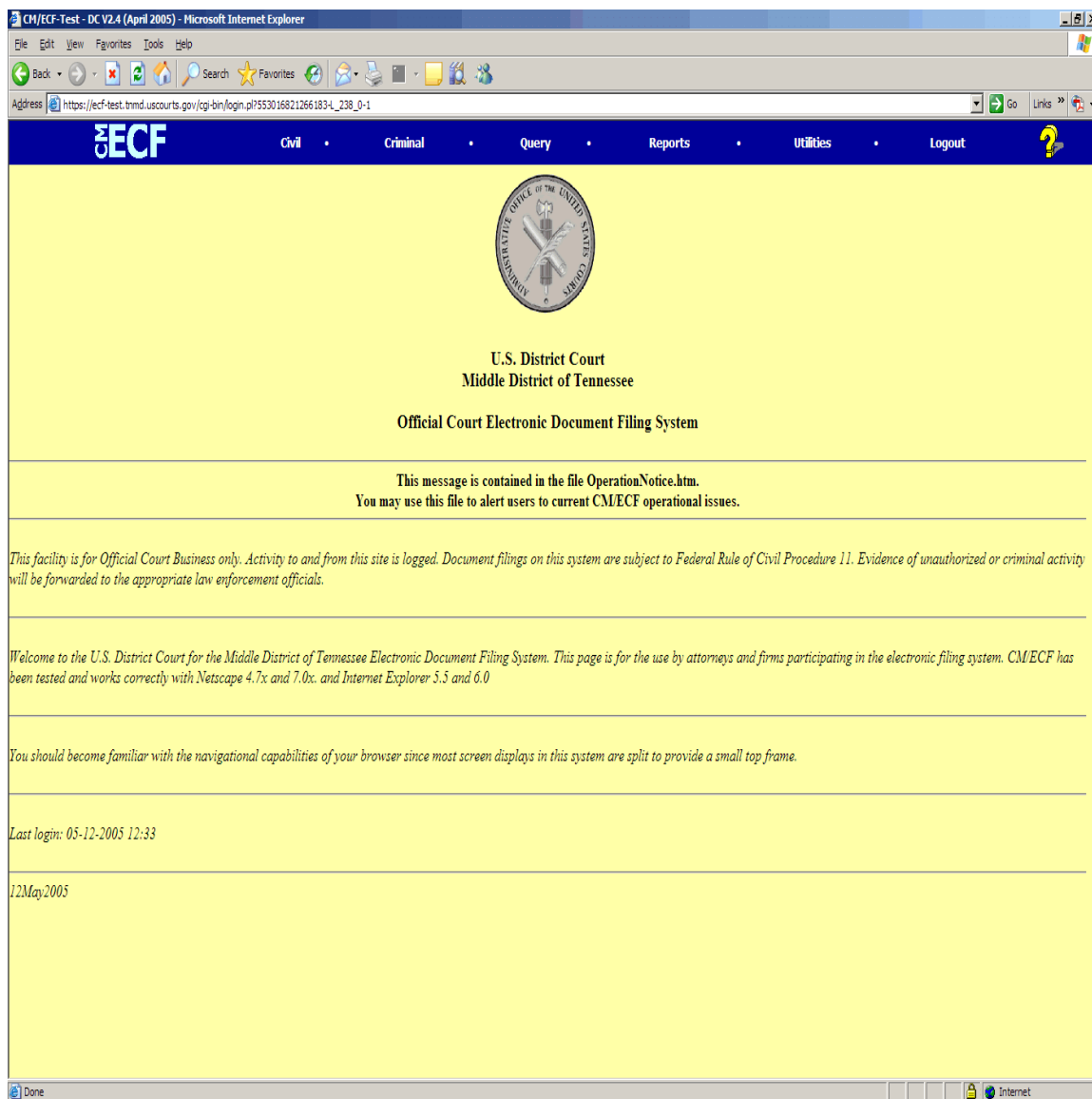


Figure 4-5

Note 4-3: The date and time the user last logged into CM/ECF will appear in the Transaction Log at the bottom-left corner of the screen shown in Figure 4-5 above. If it appears that this information is incorrect, or it is suspected that an unauthorized party has used the user's login and password, telephone the CM/ECF Help Desk at (615) 695-2888, (866) 720-TNMD, or (866) 720-8663.

III. THE MAIN MENU. The following menu selections, located on the blue menu bar shown at the top of the previous Figure 4-5, are used for the purposes specified below:

- A. [Civil] Used to file all civil and miscellaneous pleadings, motions, and other documents in civil actions pending before the District Court.
- B. [Criminal] Used to file criminal pleadings, motions, and other documents in criminal actions pending before the District Court.
- C. [Query] Used to retrieve information and documents that are relevant to a particular case. Users must log into PACER before the [Query] feature is available.
- D. [Reports] Used to retrieve cases, reports and docket sheets relevant to a particular case. Users must log into PACER before the [Reports] feature is available.
- E. [Utilities] Used to view the CM/ECF transaction log and to maintain individual CM/ECF account information.
- F. [Logout] Used to exit CM/ECF, thereby terminating further CM/ECF activity under the user's password until the next time the user logs on. If the user fails to use the [Logout] feature, *e.g.*, by closing the browser directly, there is a delay before the absence of activity disconnects the user from CM/ECF.

CHAPTER 5 FILING DOCUMENTS

I. FILING THE BASIC DOCUMENT.

- A. Select either the [Civil] or [Criminal] event feature to file and docket pleadings, motions, and other documents in civil and criminal cases respectively. Filing a motion in a civil action will be used to demonstrate the procedure for filing documents using CM/ECF. The steps using the [Criminal] event feature are similar to the [Civil] event feature shown in Figure 5-1 below.

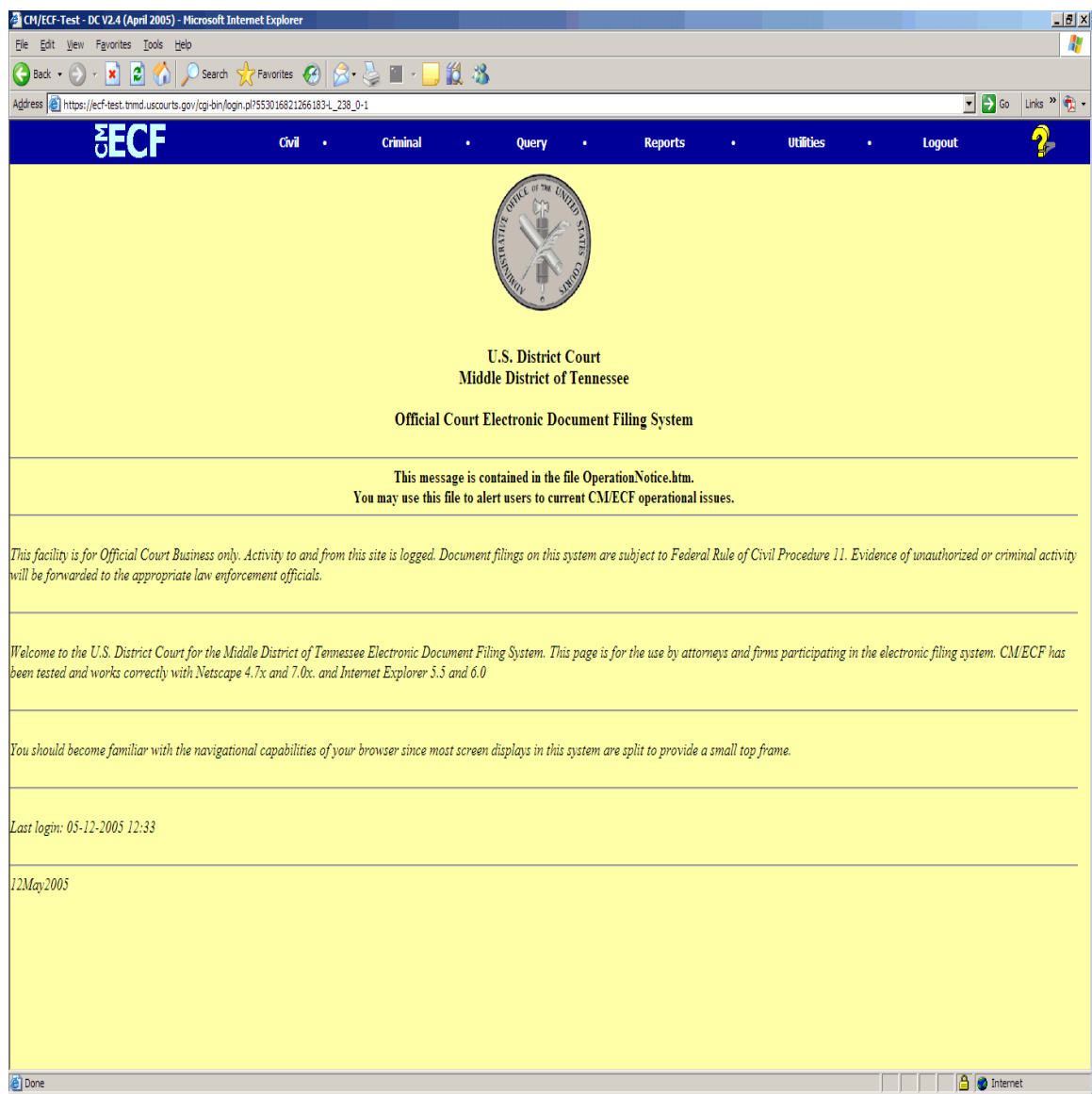


Figure 5-1

- B. After selecting the [Civil] event feature, the screen shown in Figure 5-2 below will appear. Go to Motions and Related Filings, and click on [Motions].

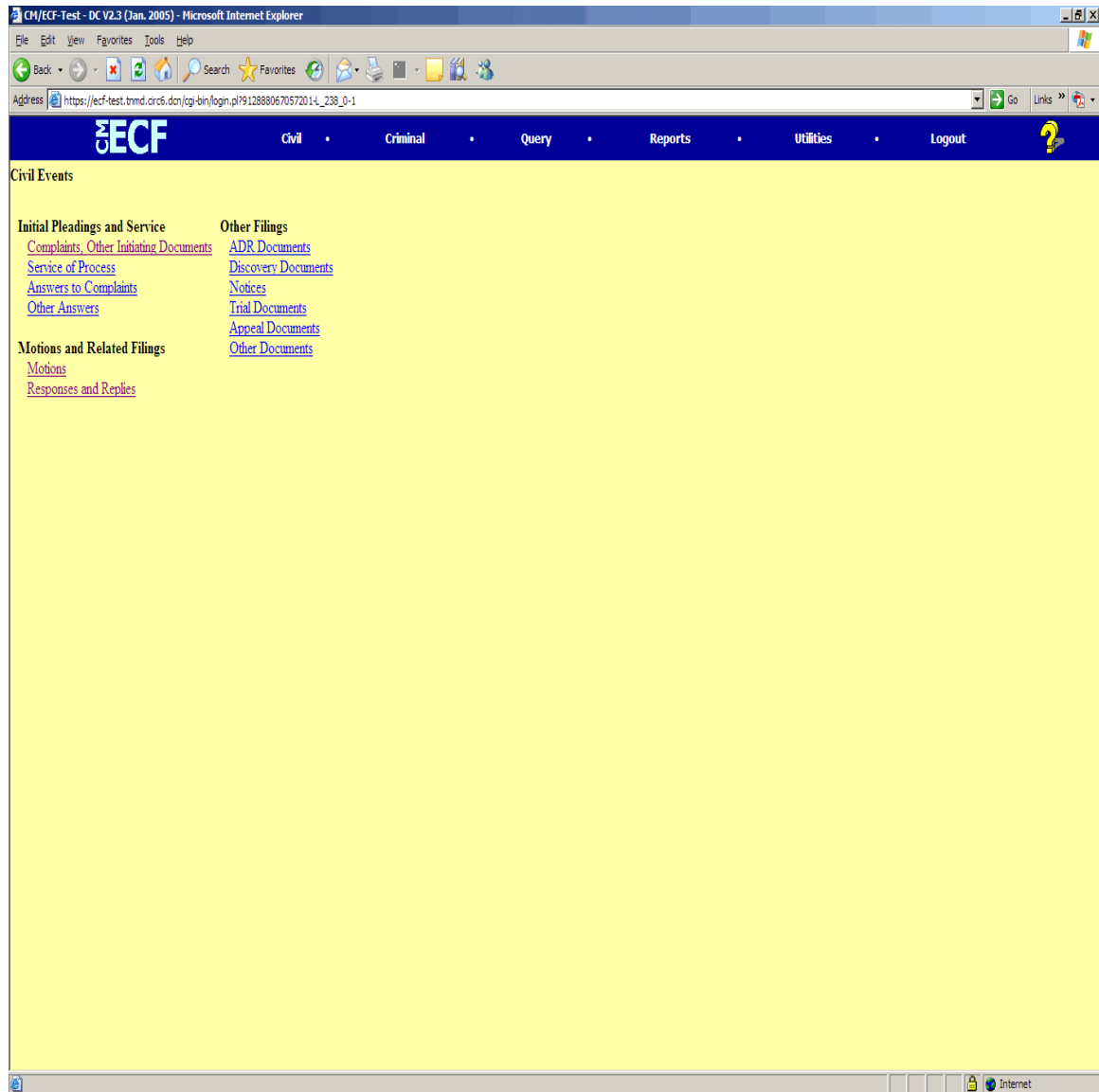


Figure 5-2

- C. After clicking on [Motions] in the previous Figure 5-2, the screen in Figure 5-3 below will appear. For demonstration purposes, scroll down the available options using the scroll bar in the window insert, and highlight Preliminary Injunction as shown below and click on the [Next] button.

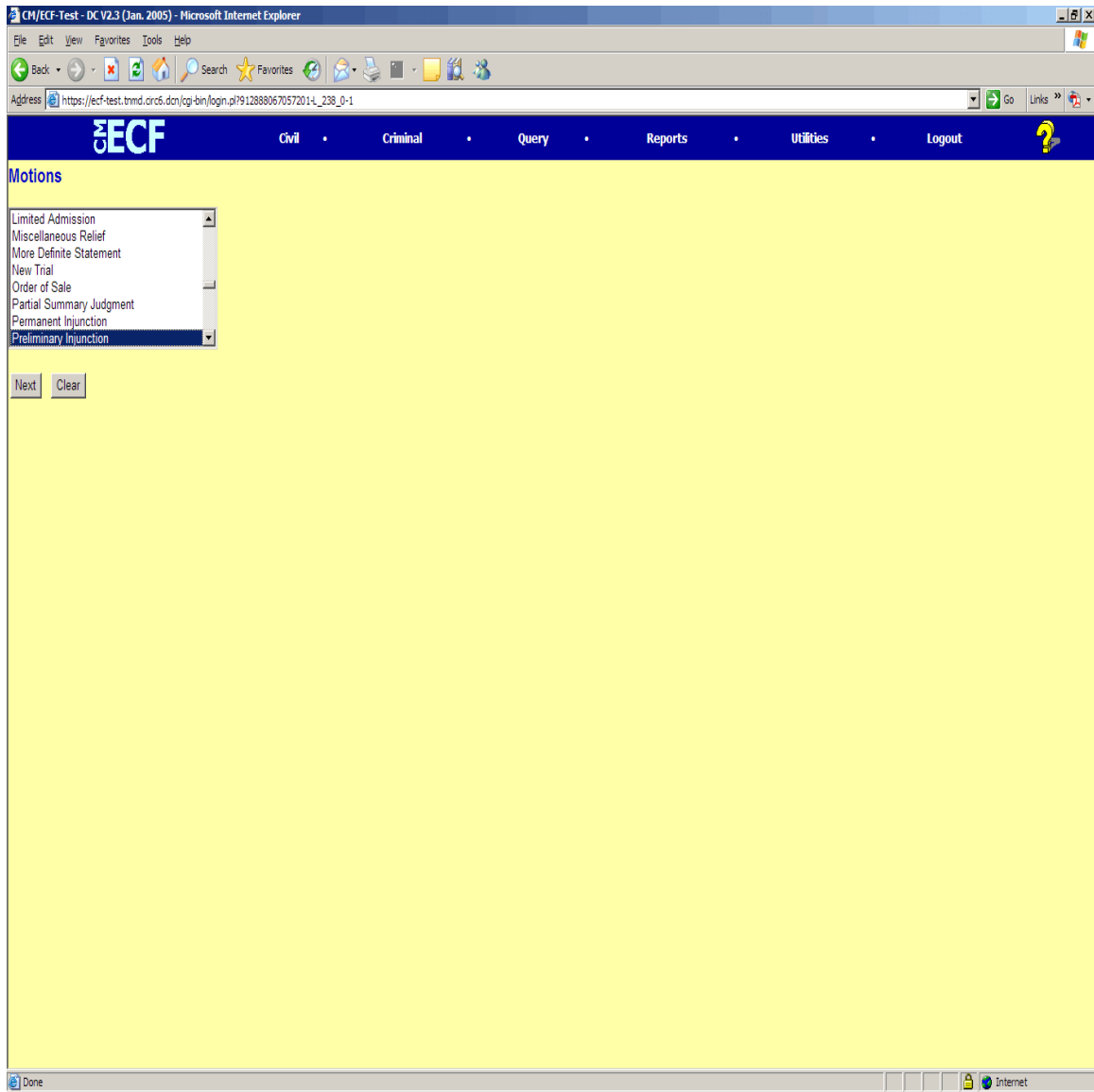


Figure 5-3

Note 5-1: Entering the first letter of the type of motion to be filed will take the user to the first motion beginning with the letter entered. If a motion is not listed, use motion for Miscellaneous Relief. If filing more than one kind of motion, hold down the [CTRL] key and select each type of motion to be filed.

- D. After clicking on the [Next] button shown in the previous Figure 5-3, the window in Figure 5-4 below will appear. Enter the case number as described on p. 21 and click on the [Next] button.

CM/ECF-Test - DC V2.3 (Jan. 2005) - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites

Address https://ecf-test.bmd.crcs.dcn/cgi-bin/login.pl?9128880670572014_238_0-1 Go Links

ECF Civil Criminal Query Reports Utilities Logout

Motions

Case Number

3 04cv0001 99-12345, 1-99-cv-12345, 1-99-cv-12345, 99cv12345, or 1-99cv12345

Next Clear

Done Internet

Figure 5-4

Note 5-2: CM/ECF defaults to the last case in which documents were filed. Ensure that the proper case number is entered, otherwise the document may be filed in the wrong case.

- E. Enter the case number in the following format: <division>:<case year><case type><case number> (e.g., 3:04cv0001).
1. The three divisions within the Middle District of Tennessee are represented by the following numerical codes: 1 = Columbia Division; 2 = Northeastern Division; 3 = Nashville Division.
 2. Enter the entire year.
 3. Abbreviations for the various types of cases are as follows: cv = civil cases; mc = miscellaneous cases; cr = criminal cases; mj = magistrate cases.
 4. It is not necessary to enter all of the zeros preceding the case number. If a case number is formatted incorrectly, an error message will appear prompting the user to correct the format. Click on [OK] to close the error message. Manually delete the incorrect data, then re-enter the case number in the correct format. Click on the [Next] button to proceed.
- F. Correcting Mistakes.
1. Do not use the [clear] button to clear data entries. Instead, clear the data fields manually by selecting the box in which the data entry to be changed appears, and either highlight and delete the data, or use the backspace key to remove the entry to be removed. Using the [Clear] button clears all data on the screen.
 2. Use the [Back] button on the browser toolbar to correct data entries made on a previous screen. If the message, “this page cannot be displayed” appears, click on [Refresh]. The browser’s [Back] button may be used to correct data entries on previous screens until you see the warning message described at Figure 5-16. If [Next] is clicked after the warning message “**Attention!!** Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.” appears, there will be no further opportunity to go back and correct any mistakes. Once the document is transmitted to the Court, only the Court can make changes or corrections.

- G. After clicking on the [Next] button shown in the previous Figure 5-4, the screen in Figure 5-5 below will appear. Select the filer and click on the [Next] button.

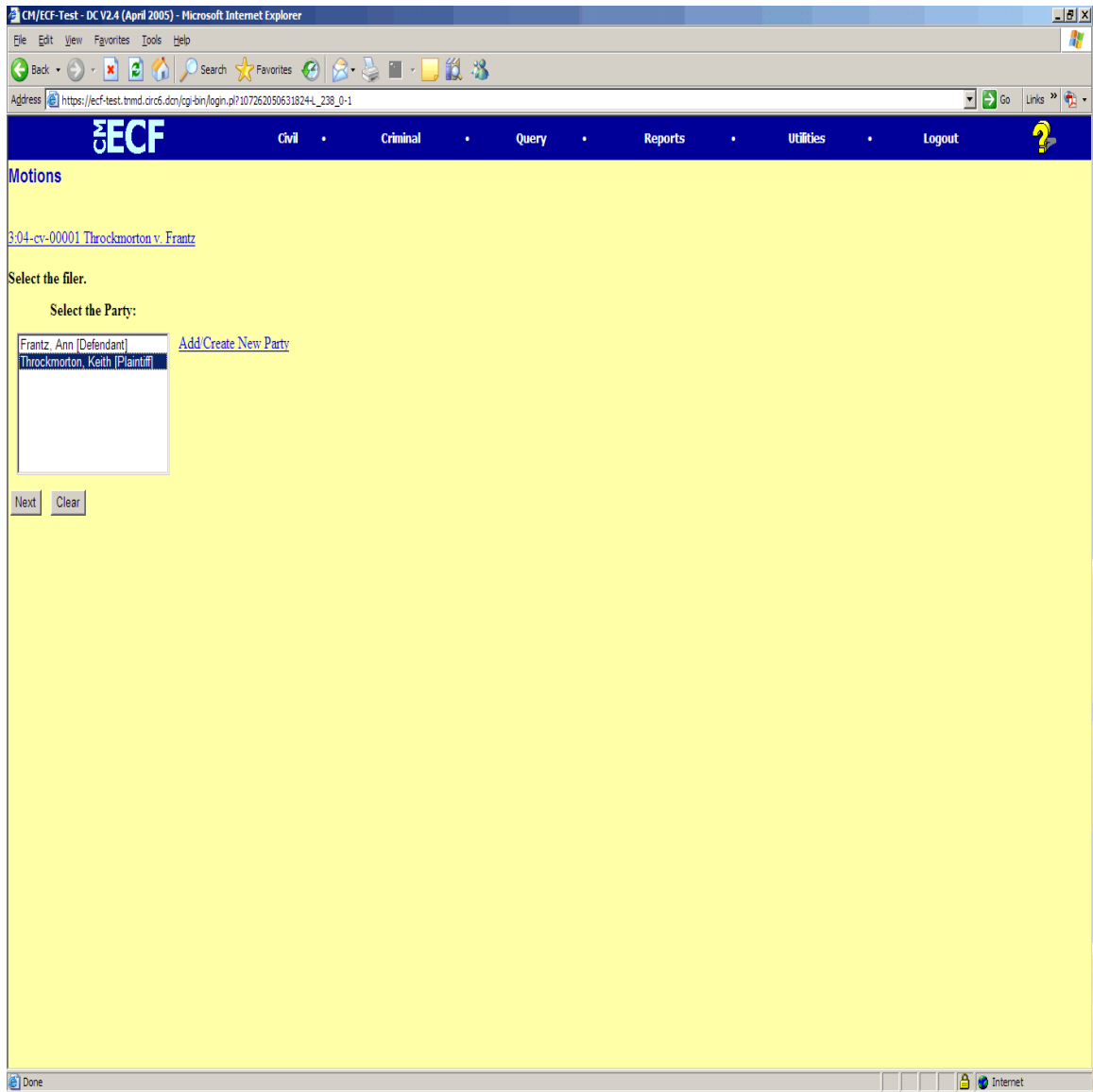


Figure 5-5

Note 5-3: If this is the first filing by the attorney, a new screen will appear to associate the attorney with the filer. Follow the instructions provided.

- H. After clicking on the [Next] button shown in the previous Figure 5-5, the screen in Figure 5-6 below will appear.

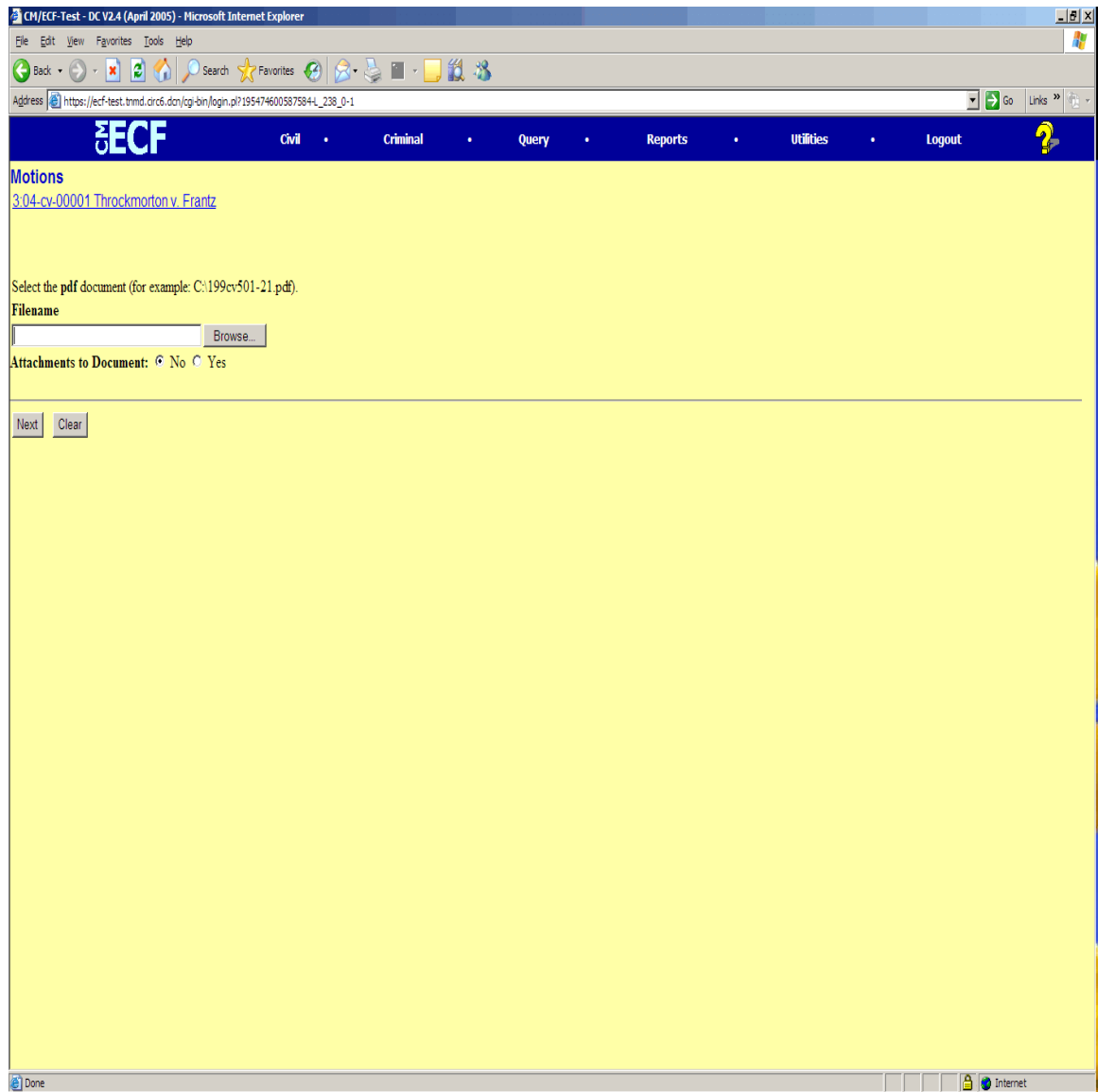


Figure 5-6

- I. Click on the [Browse] button shown in the previous Figure 5-6 to search, locate, and select the document(s) to be filed. The screen in Figure 5-7 below will appear.

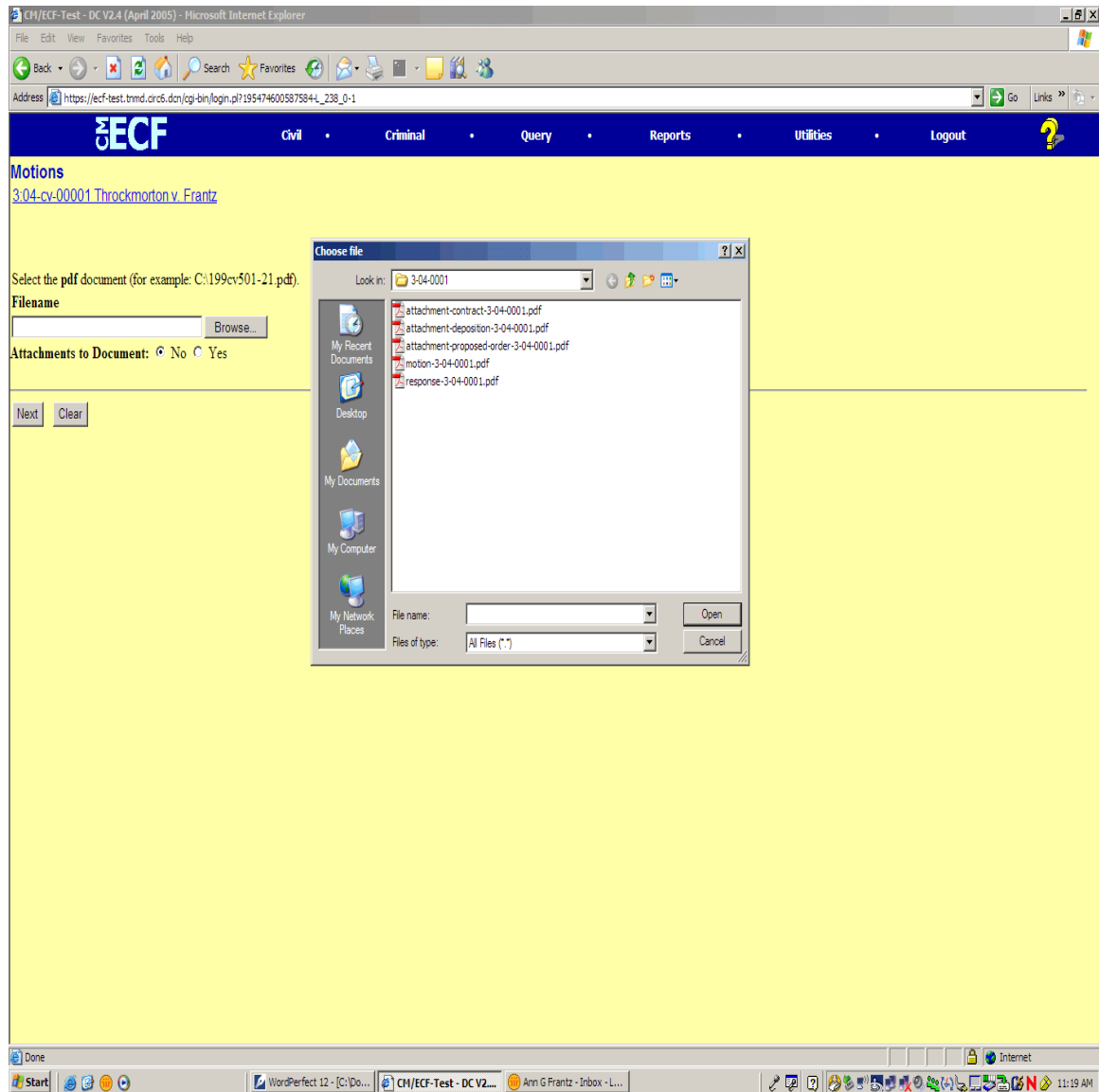


Figure 5-7

- J. Right clicking the highlighted file will open the pop-up window as shown in Figure 5-8 below. Click on [Open with Adobe (Ver.)] to verify that the document selected is the one to be filed.

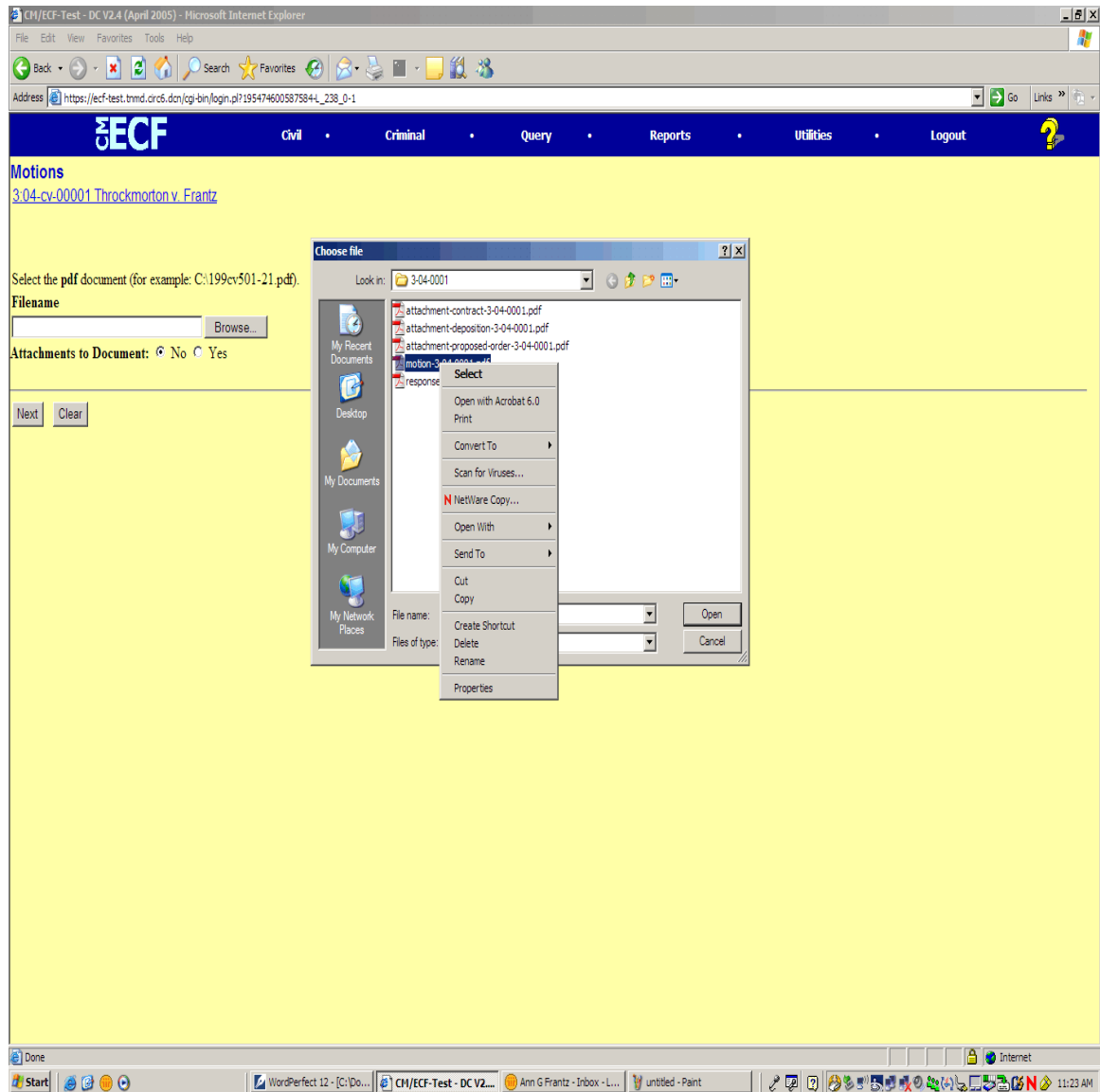


Figure 5-8

- K. After verifying the document highlighted is the one to be filed, close Adobe Acrobat. Double click on the document and the screen in Figure 5-9 below will appear. After the document has been accepted, select whether there are any attachments to be filed, then click on the [Next] button.

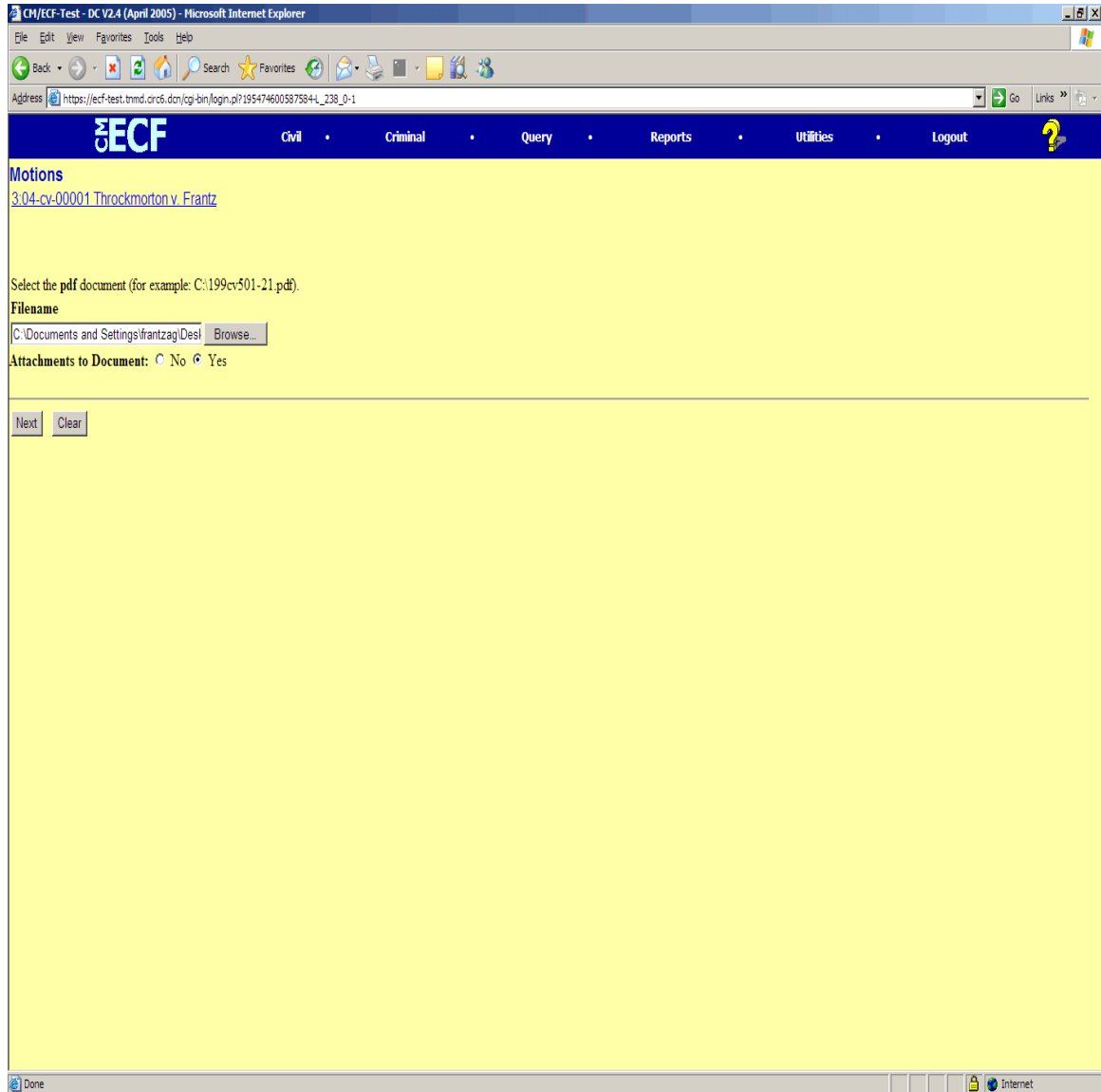


Figure 5-9

Note 5-4: In the event that the document to be filed is not in the proper PDF format, the following error message will appear after you click on the [Next] button: “ERROR: Document is not a well-formed PDF document.”

- L. If the Attachments to Document was not selected in Figure 5-9, click on the [Next] button and proceed to p. 33.

II. FILING ATTACHMENTS/EXHIBITS.

A. General.

1. Users shall submit in electronic form all documents referenced as attachments or exhibits in accordance with Administrative Order No. 167, Section 5.06, unless otherwise ordered by the presiding judge.
2. Attachments and Exhibits That Are Not Filed Electronically or Scanned:
 - a. Videotapes, demonstrative exhibits, photographs, color documents, and other exhibits or attachments that cannot be filed electronically, or scanned, shall be filed with the Clerk's Office accompanied by a "Notice of Manual Filing" recorded in CM/ECF that provides the name and description of the exhibit/attachment.

B. Procedures for Filing Attachments or Exhibits:

1. After clicking on the [Next] button shown in the previous Figure 5-9, the screen in Figure 5-10 below will appear, if the Attachments to Document feature was selected in the previous Figure 5-9. Select the [Browse] button in Figure 5-10, and follow the same procedures described previously regarding Figure 5-7, to select, verify, and enter the appropriate attachment to be filed.

CM/ECF-Test - DC V2.3 (Jan. 2005) - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Print Mail News RSS Feeds

Address https://ecf-test.trnd.circ6.dcn/cgi-bin/login.pl?9128880670572014_238_0-1 Go Links

ECF Civil Criminal Query Reports Utilities Logout ?

Motions

[3:04-cv-00001 Throckmorton v. Frantz](#)

Select one or more attachments.

1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf).

Filename

2) At your option, select a document type, enter a description and/or specify if transcript.

Type	Description
<input type="text"/>	<input type="text"/>

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.

Internet

Figure 5-10

2. After entering the document to be filed in the Filename window, select the type of document being filed from the list in the Type field – an exhibit for the purposes of this example – then provide a brief description of the document being filed in the Description field as shown in Figure 5-11 on the next page.

CM/ECF-Test - DC V2.3 (Jan. 2005) - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Address https://ecf-test.bmd.crc6.dcn/cg-bin/login.pl?389173452472876-L_238_0-1 Go Links

ECF Civil Criminal Query Reports Utilities Logout

Motions

[3:04-cv-00001 Throckmorton v. Frantz](#)

Select one or more attachments.

1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf).

Filename

C:\Documents and Settings\frantzag\Desi

2) At your option, select a document type, enter a description and/or specify if transcript.

Type	Description
<input type="text" value="Exhibit"/>	<input type="text" value="Contract"/>

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.

Done Internet

Figure 5-11

Note 5-5: In some instances, CM/ECF creates and displays a response deadline. The user cannot change the deadline displayed. If the response deadline is different than the deadline required by order of the Court, the conflict is governed by federal statute (if applicable), the Federal Rules of Civil Procedure, or the Local Rules of Court.

3. After completing the steps described in the previous Figure 5-11, click on the [Add to List] button shown in Figure 5-11, and the screen in Figure 5-12 below will appear.

CM/ECF-Test - DCV2.3 (Jan. 2005) - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Address https://ecf-test.bmd.crc6.dcn/cgi-bin/login.pl?3891734524728764_238_0-1 Go Links >>

ECF Civil • Criminal • Query • Reports • Utilities • Logout ?

Motions

[3:04-cv-00001 Throckmorton v. Frantz](#)

Select one or more attachments.

1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf).

Filename

Browse...

2) At your option, select a document type, enter a description and/or specify if transcript.

Type **Description**

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.

C:\Documents and Settings\frantzag\Desktop\3-04-0001\attachment-contract-3-04-0001.pdf

Add to List

Remove from List

Next

Figure 5-12

4. If more than one document is to be attached, click on the [Browse] button and repeat the process to select the document as previously described for each additional document to be attached. When the last document has been attached, click on the [Next] button and the screen in Figure in 5-13 below will appear.

CM/ECF-Test - DC V2.3 (Jan. 2005) - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites RSS Feeds

Address https://ecf-test.tnmd.crcs.don/cgi-bin/login.pl?3891734524728764_238_0-1 Go Links

ECF Civil Criminal Query Reports Utilities Logout ?

Motions
[3:04-cv-00001 Throckmorton v. Frantz](#)

Select one or more attachments.

1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf).

Filename Browse...

2) At your option, select a document type, enter a description and/or specify if transcript.

Type Description

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.

C:\Documents and Settings\frantzag\Desktop\3-04-0001\attachment-contract-3-04-0001.pdf Add to List
C:\Documents and Settings\frantzag\Desktop\3-04-0001\attachment-deposition-3-04-0001.pdf
C:\Documents and Settings\frantzag\Desktop\3-04-0001\attachment-proposed-order-3-04-0001.pdf Remove from List

Next

Done Internet

Figure 5-13

Note 5-6: At this point, if a document has been mistakenly attached, it may be removed by highlighting the document, and clicking on the [Remove from list] button.

5. Once all attachments have been selected, click on the [Next] button shown in the previous Figure 5-13, and the screen in Figure 5-14 will appear.

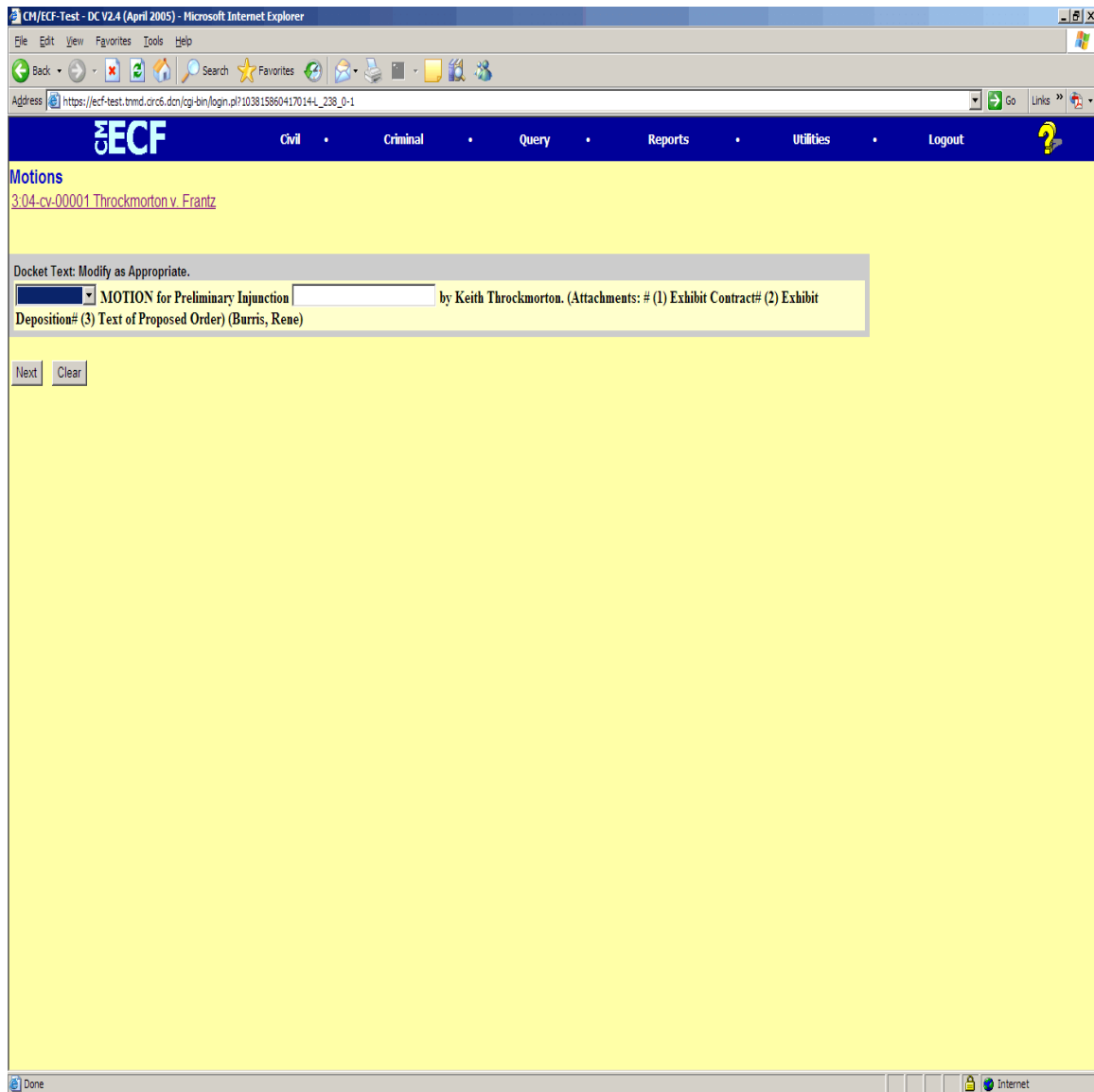


Figure 5-14

6. If you are satisfied with the entry, click on the [Next] button and the screen will appear as shown in Figure 5-15 below. The following alert will appear, to which users should pay careful attention.

“Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.”

If you are not satisfied with the entry, use the web browser's [Back] button to return to the appropriate page to make the necessary changes.

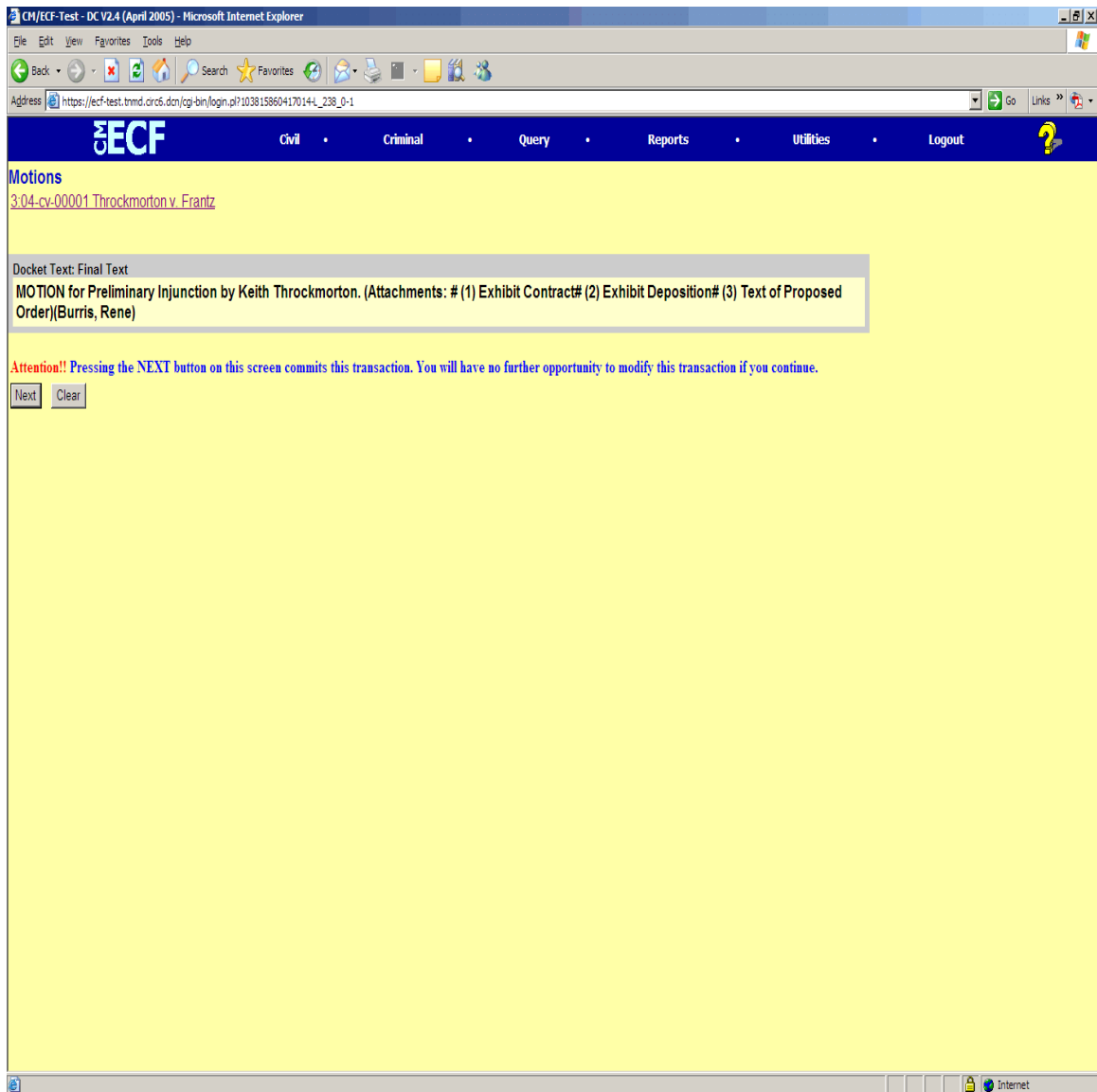


Figure 5-15

7. After clicking on the [Next] button, the Notice of Electronic Filing (NEF) will appear as shown in Figure 5-16 on the next page.

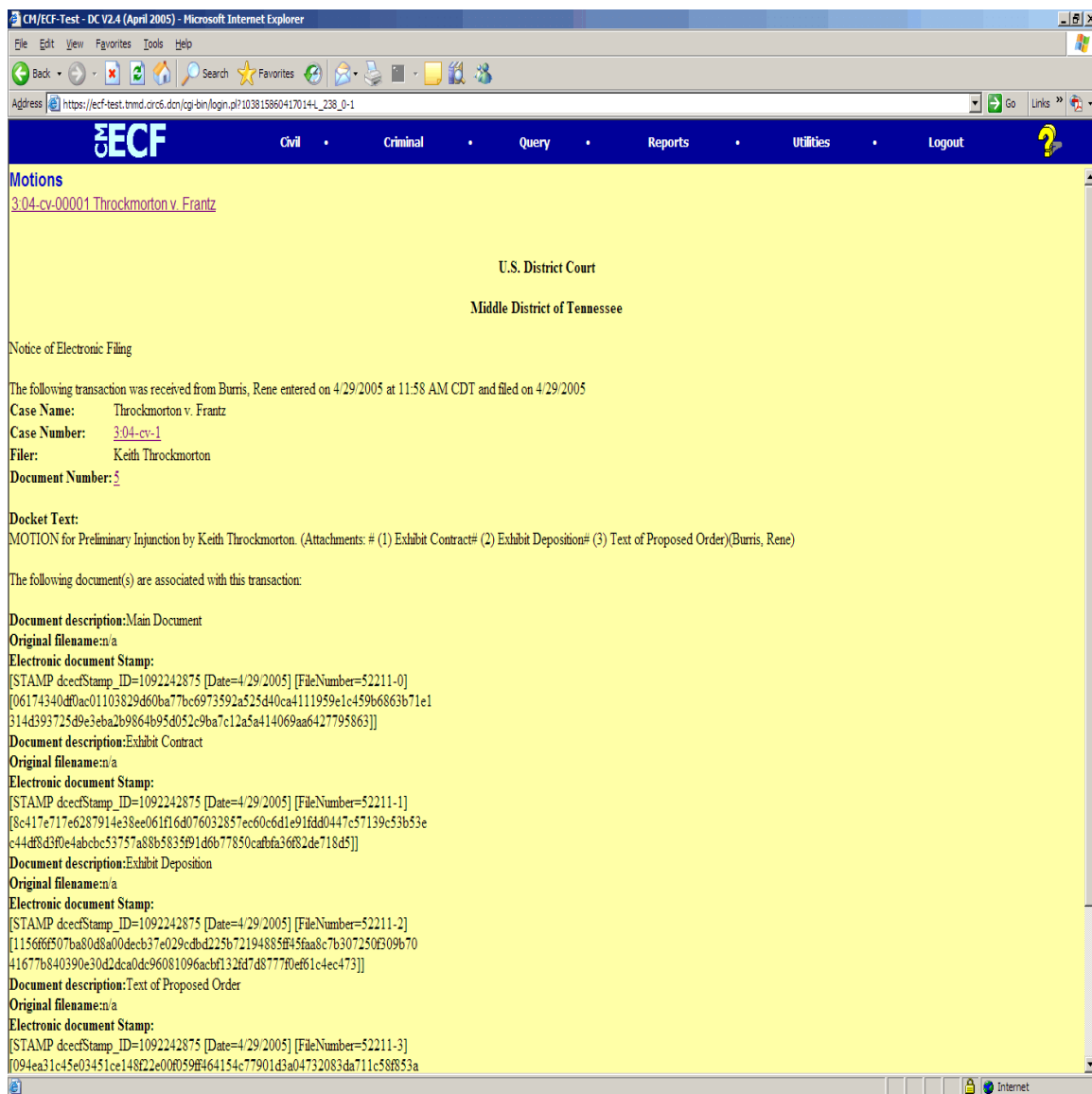


Figure 5-16

8. The NEF provides confirmation that the system has registered the transaction, and that the document is now part of the official Court record. The NEF also shows the date and time of the transaction, and the number assigned to the document.
9. The user, and those designated by the user to receive e-mail notification of documents filed electronically are permitted one (1) “free look” at the document by clicking on the hyperlink associated with the document number, in this case “5,” embedded in the NEF. Click on the “5” appearing next to Document Number in Figure 5-16 above and the screen in Figure 5-17 below will appear.

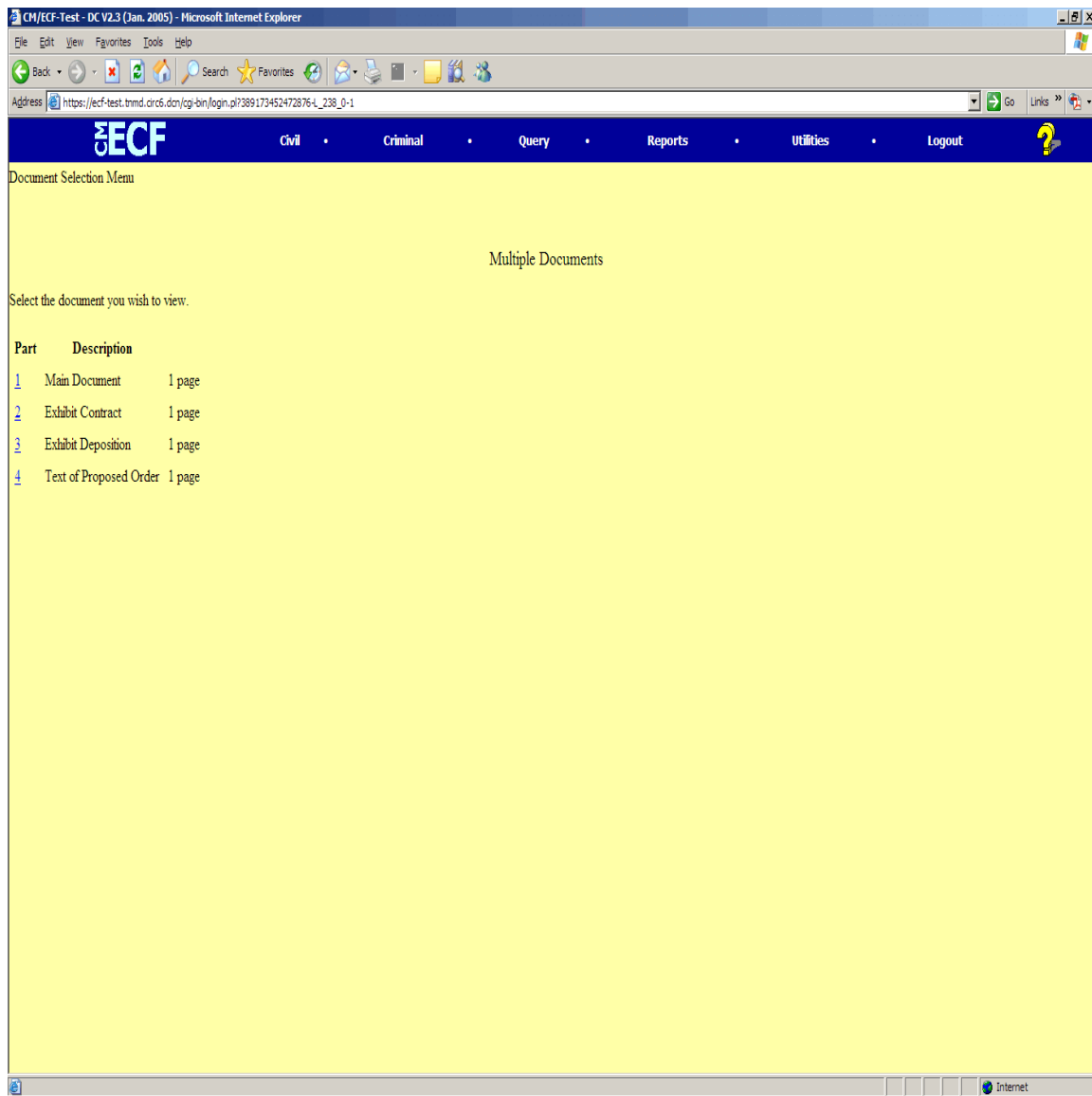


Figure 5-17

- Clicking on the appropriate “Part” number in Figure 5-17 above will open the document. The hyperlink described above expires after the earlier of the following two events: the first use of the hyperlink, or fifteen (15) days. Anytime the hyperlink is used after either of these two events, the user will be required to provide a PACER login, and will be charged to view the document. To avoid unnecessary PACER charges, users should download or print a copy of the document(s) when using the one “free look” feature.

C. Certificate of Service:

1. A certificate of service required under Rule 5(d), Fed. R. Civ. P. is required when filing a document electronically. The certificate of service must be included as the final page of the document, specifying the manner in which service was accomplished on each party. Information pertaining to those parties who are registered CM/ECF users, and those who are not, is available in CM/ECF's Utilities feature by clicking on [Mailing] under [Miscellaneous], then selecting [Mailing Info for a Case], and selecting "Mailings", entering the appropriate case number, and clicking on the [Next] button.
2. CM/ECF provides automatic notice to those whose e-mail addresses are listed in the NEF section labeled: "Notice will be electronically mailed to:"
3. Parties filing documents using CM/ECF are responsible for serving paper copies of all documents that are filed electronically, and a copy of the NEF, to attorneys and *pro se* litigants who are not registered on CM/ECF. Those parties to whom such paper copies are required to be mailed are listed in the NEF section labeled: "Notice will be delivered by other means to:" A copy of the pleading/document should be provided in PDF format so that the format and pagination are the same as the document filed electronically.

- III. LINKING DOCUMENTS. Pleadings such as motions, responses, and briefs are required to be linked to related documents in the case. The procedures described above apply when filing such documents, as discussed below.
- A. To respond to the motion for preliminary injunction in the previous example, proceed generally as described in Figures 5-1 through 5-9, until the screen in Figure 5-18 appears.

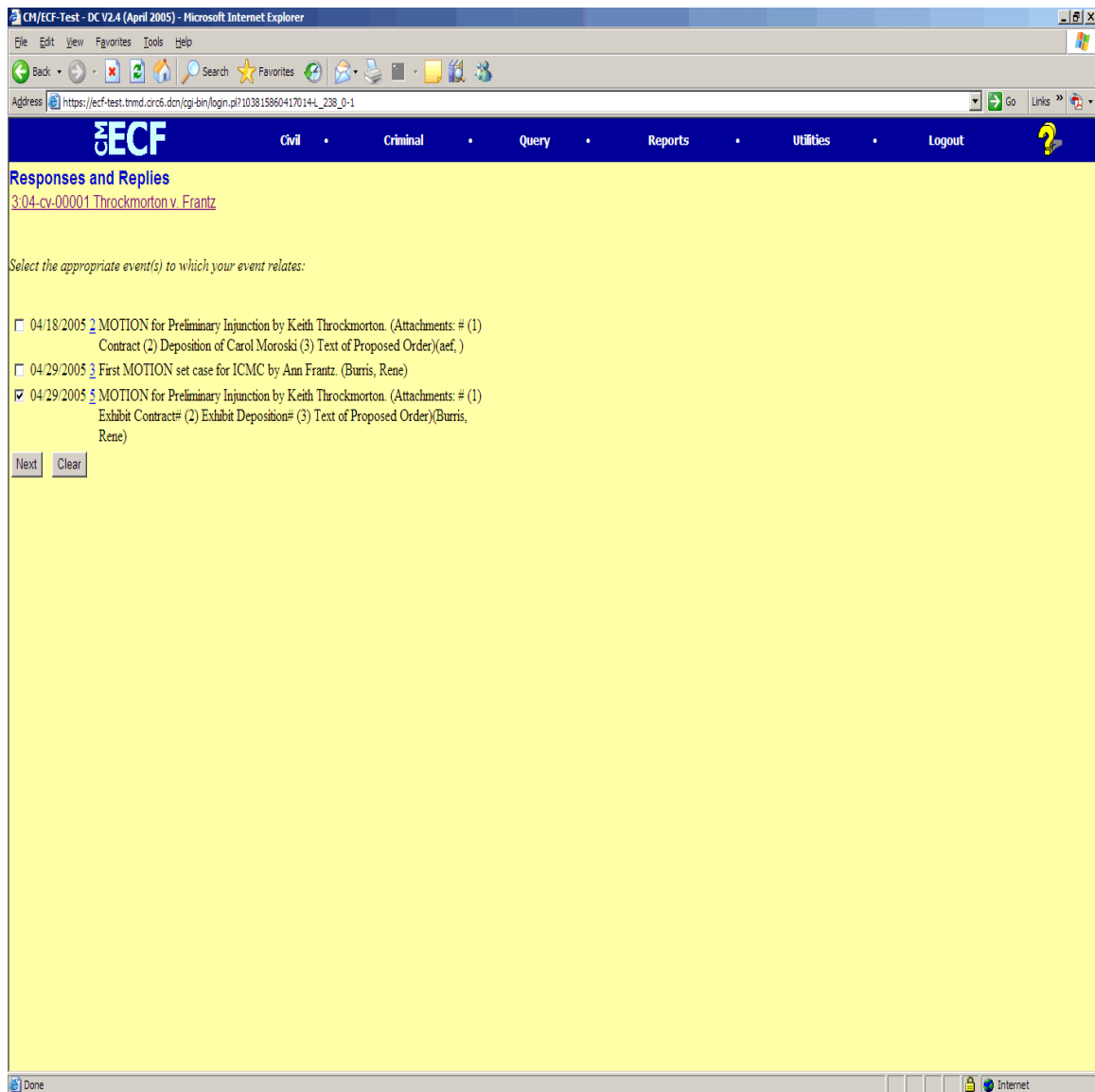


Figure 5-18

- B. For purposes of this example, click in the box in Figure 5-18 adjacent to entry “5” labeled: “MOTION for Preliminary Injunction by Keith Throckmorton.” Click on the [Next] button, and the screen in Figure 5-19 will appear.

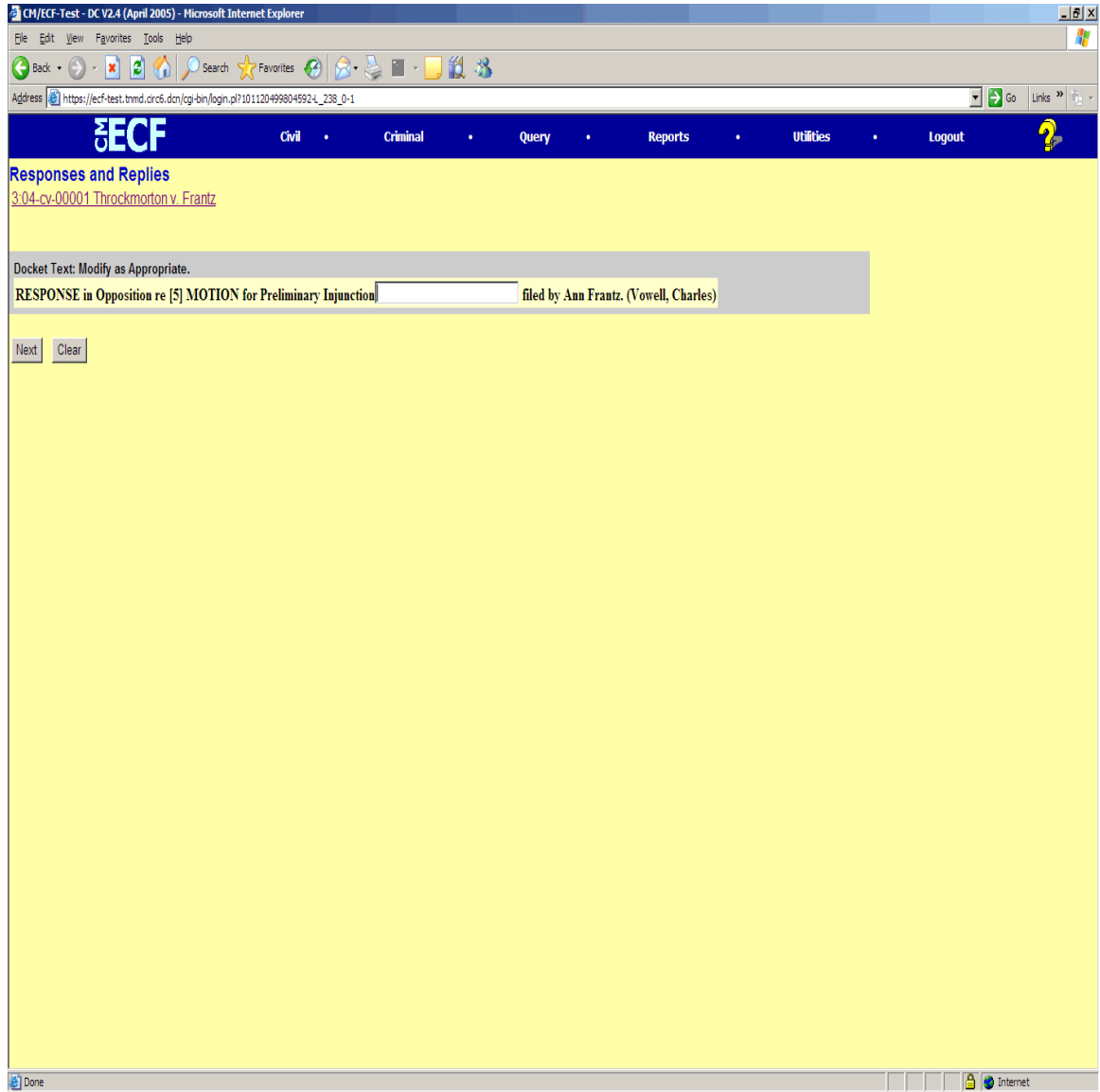


Figure 5-19

- C. If necessary, add any additional text in the blank box. If no extra text is added, as here, click on the [Next] button, and the screen in Figure 5-20 below will appear.

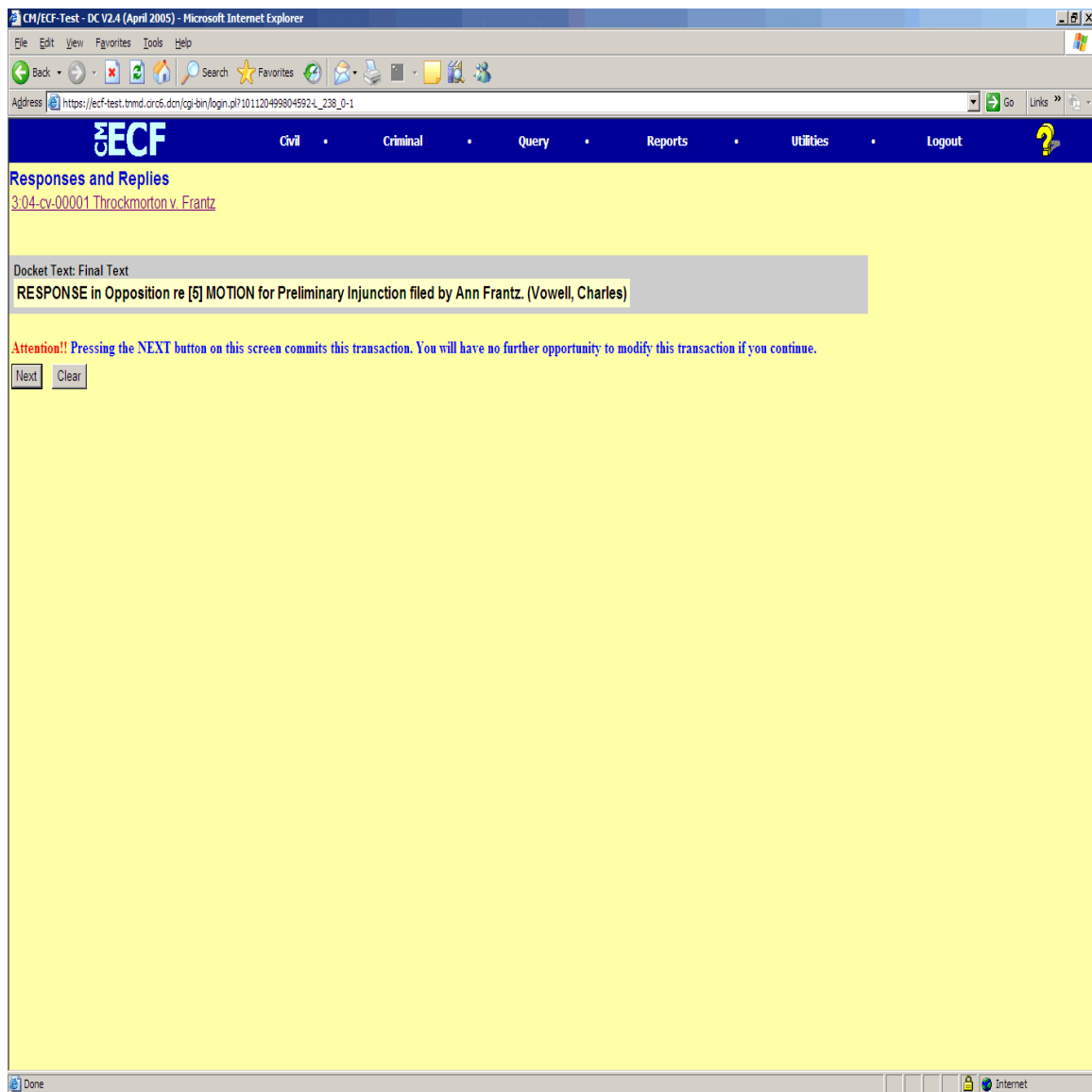


Figure 5-20

As discussed previously, this is the final opportunity for the user to make any required changes. If changes are required, then use the browser [Back] button to return to the appropriate page, and make the necessary changes. If the information is correct, click on the [Next] button, and the screen will appear as shown in Figure 5-21 below.

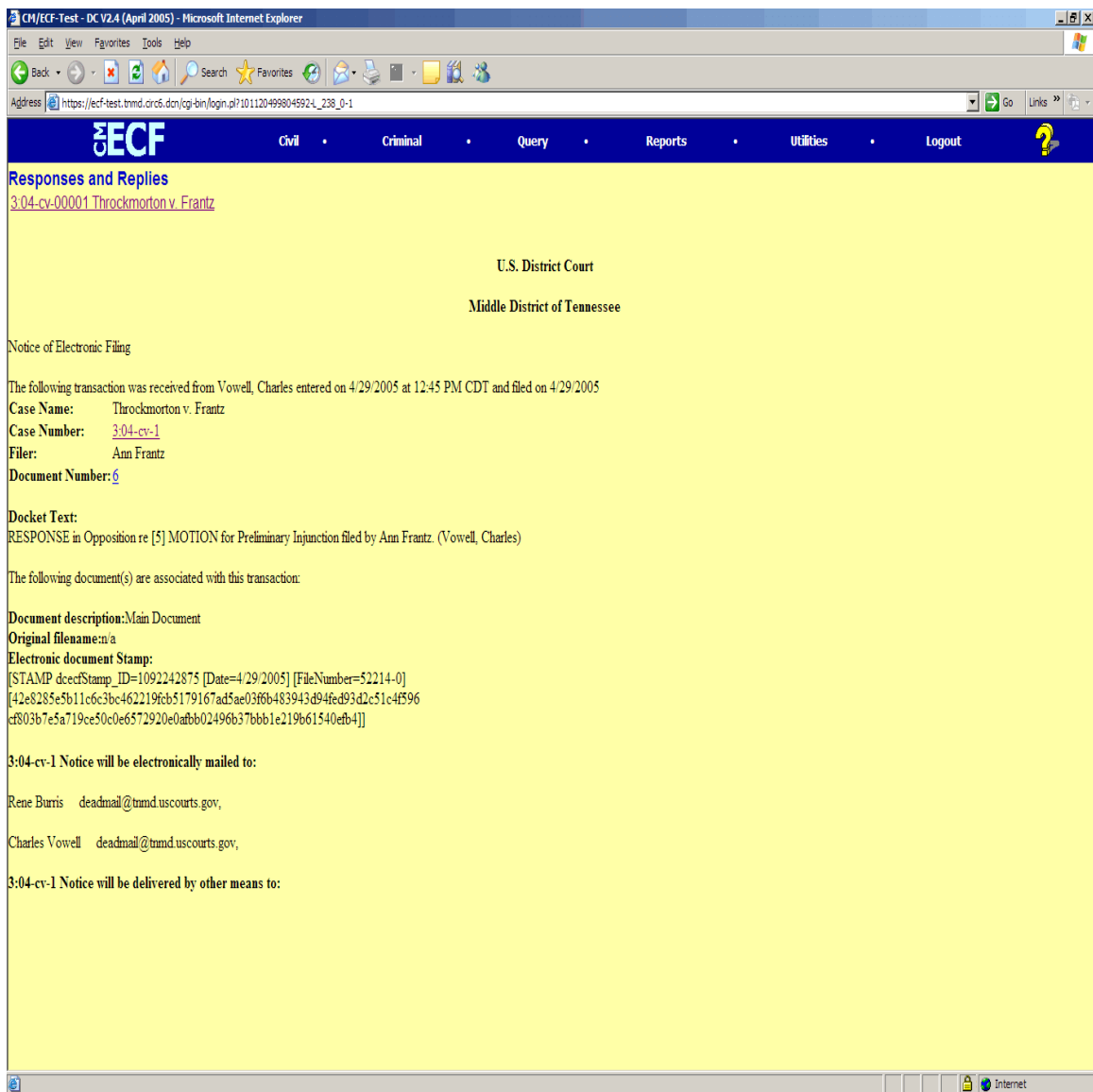


Figure 5-21

CHAPTER 6

OTHER FEATURES

- I. QUERY FEATURE: The [Query] feature is used to search CM/ECF for case related information. As previously discussed, the user must have a PACER account.
 - A. To access the query feature, log on ECF/PACER using the ECF login and password. Click on the [QUERY] feature in the menu at the top of the main CM/ECF Official Court Electronic Document Filing System screen. You will be prompted to enter your PACER username and password. The screen in Figure 6-1 below will appear.

The screenshot shows a web browser window titled "CM/ECF-Test - DC V2.4 (April 2005) - Microsoft Internet Explorer". The address bar shows a URL starting with "https://ecf-test.bnd.crcs.don/cgi-bin/login.pl?993094591073854-_238_0-1". The page has a blue header with the "ECF" logo and navigation links: Civil, Criminal, Query, Reports, Utilities, and Logout. The main content area is yellow and contains the following sections:

- PACER Login**
- Notice**: This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.
- Instructions**: Enter your ECF login and password for electronic filing capabilities. If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may register online at <http://pacer.psc.uscourts.gov> or call the PACER Service Center at (800) 676-6856 or (210) 301-6440.
- Access Fee Notice**: An access fee of \$.08 per page (rate increase effective January 1st, 2005), as approved by the Judicial Conference of the United States, will be assessed for access to this service. At that time all inquiries will be charged to your PACER account. If you do not need filing capabilities, enter your PACER login and password. The Client code is provided to the PACER user as a means of tracking transactions by client. This code can be up to thirty two alphanumeric characters long.
- Authentication** form with fields for:
 - Login:
 - Password:
 - Client code:
- ☐ Make this my default PACER login
- Buttons: Login, Reset

Figure 6-1

- B. Once logged in, enter the case number or, if the case number is unknown, a combination of information in the other data fields to locate the case to be searched. Click on the [Query] button, and the screen in Figure 6-2 below will appear.

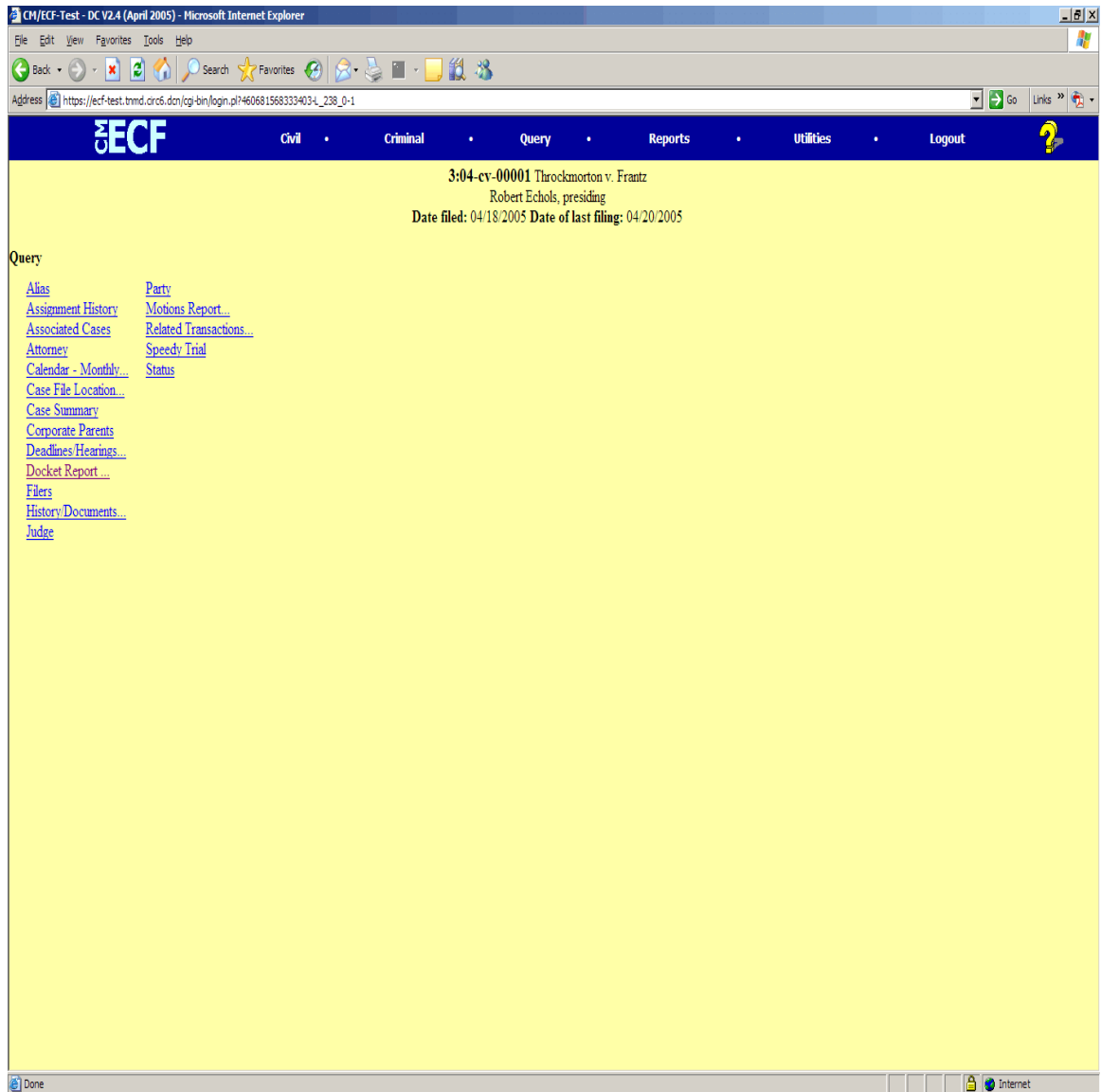


Figure 6-2

- C. The search options available are listed in the two columns on the left side of the screen. For the purposes of this example, click on the [Docket Report] hyperlink, and the screen in Figure 6-3 will appear below.

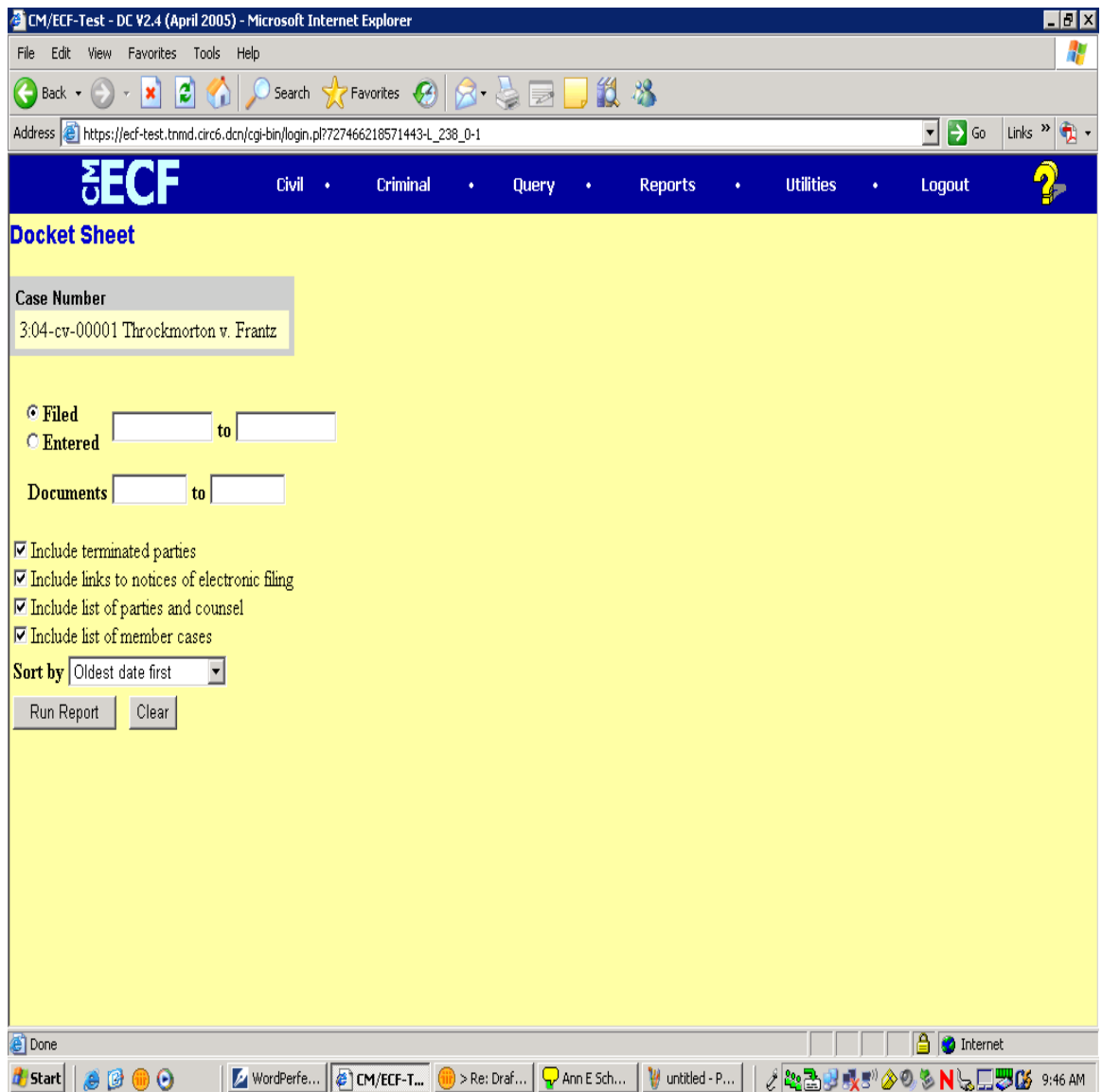


Figure 6-3

- D. Enter the information necessary to prescribe the manner in which the document to be retrieved is to appear. In this example, CM/ECF has been instructed to show all events in the case, sorted by the oldest date first. Click on the [Run Report] button, and the screen in Figure 6-4 below will appear.

CM/ECF-Test - DC V2.4 (April 2005) - Microsoft Internet Explorer

Address: https://ecf-test.tmd.crcs.don/cgi-bin/login.pl?7865492177463774_238_0-1

ECF Civil Criminal Query Reports Utilities Logout

**U.S. District Court
Middle District of Tennessee (Nashville)
CIVIL DOCKET FOR CASE #: 3:04-cv-00001
Internal Use Only**

Throckmorton v. Frantz
Assigned to: Chief Judge Robert Echols
Demand: \$1000000
Cause: 42:1981 Civil Rights

Date Filed: 04/18/2005
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff
Keith Throckmorton

represented by **Rene Burris**
Law Office of Rene Burris
500 Broadway
Room 200
Nashville, TN 37203
(615) 555-9392
Email: deadmail@tmd.uscourts.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant
Ann Frantz

represented by **Charles Vowell**
Law Office of Vowell & Miller
900 Second Avenue, N
Nashville, TN 37219
(615) 555-6263
Email: deadmail@tmd.uscourts.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/18/2005	1	COMPLAINT against Ann Frantz (Filing fee \$250, Receipt number 111222), filed by Keith Throckmorton.(aef,) (Entered: 04/18/2005)
04/18/2005	2	MOTION for Preliminary Injunction by Keith Throckmorton. (Attachments: # 1 Contract (2) Deposition of Carol Moroski (3) Text of Proposed Order)(aef,) (Entered: 04/18/2005)
04/29/2005	3	First MOTION set case for ICMC by Ann Frantz. (Burris, Rene) (Entered: 04/29/2005)
04/29/2005	4	SUMMONS returned executed by Keith Throckmorton. Ann Frantz served on 4/29/2005, answer due 5/19/2005. (Burris, Rene) (Entered: 04/29/2005)

Figure 6-4

Note 6-1: If the number appearing in the “#” column appears in blue, then the document has been filed in PDF format. If the number is not blue, then it has not been filed electronically.

- E. Clicking on the hyperlink docket entry number in the column labeled “#” will display the actual document in PDF format. Clicking on the “silver ball” in the docket report will display the related receipt information as shown in Figure 6-5 below.

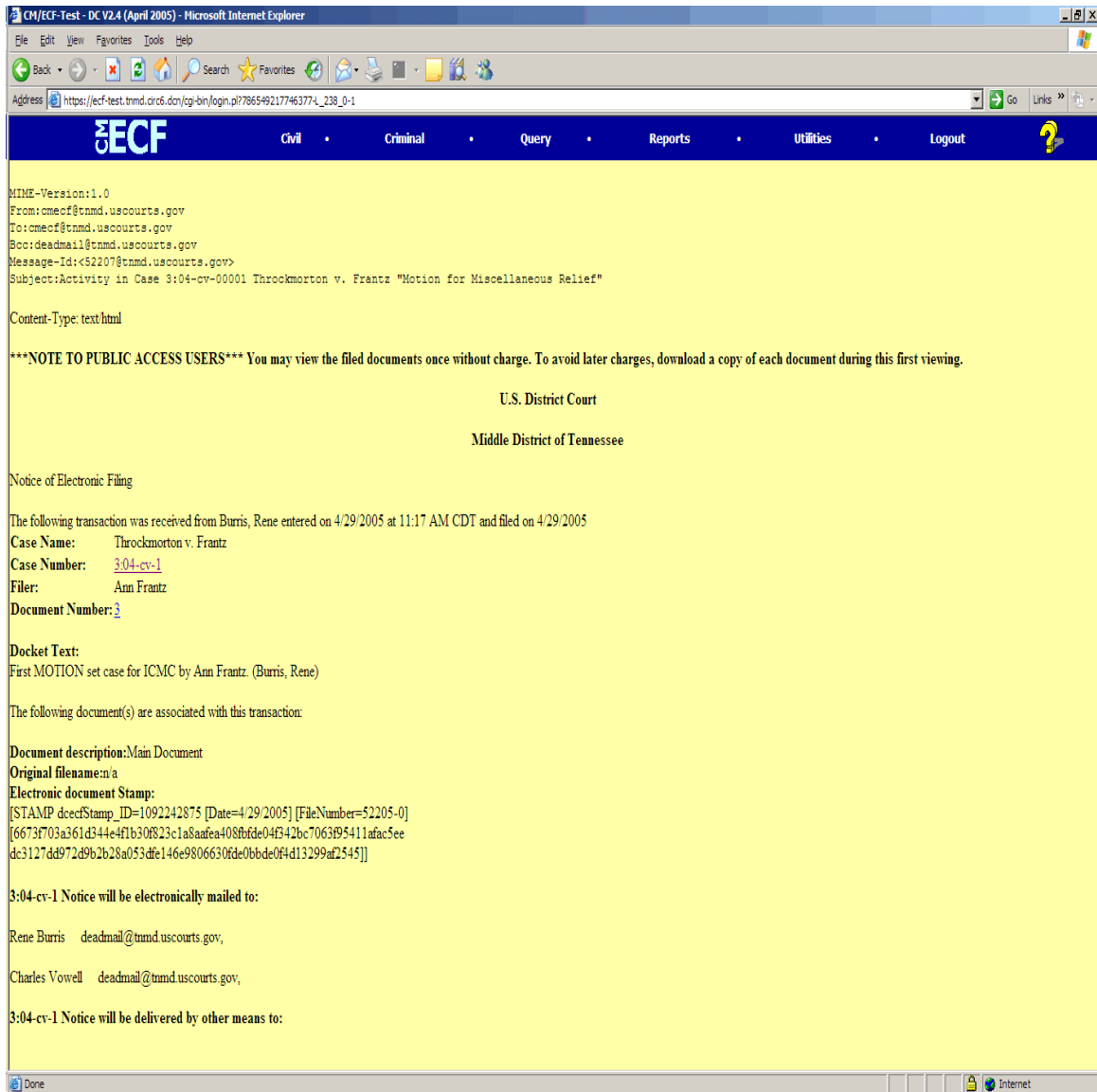


Figure 6-5

II. REPORTS FEATURE:

- A. Click on the [Reports] feature in the menu at the top of the main CM/ECF Official Court Electronic Document Filing System screen and the screen in Figure 6-6 will appear.

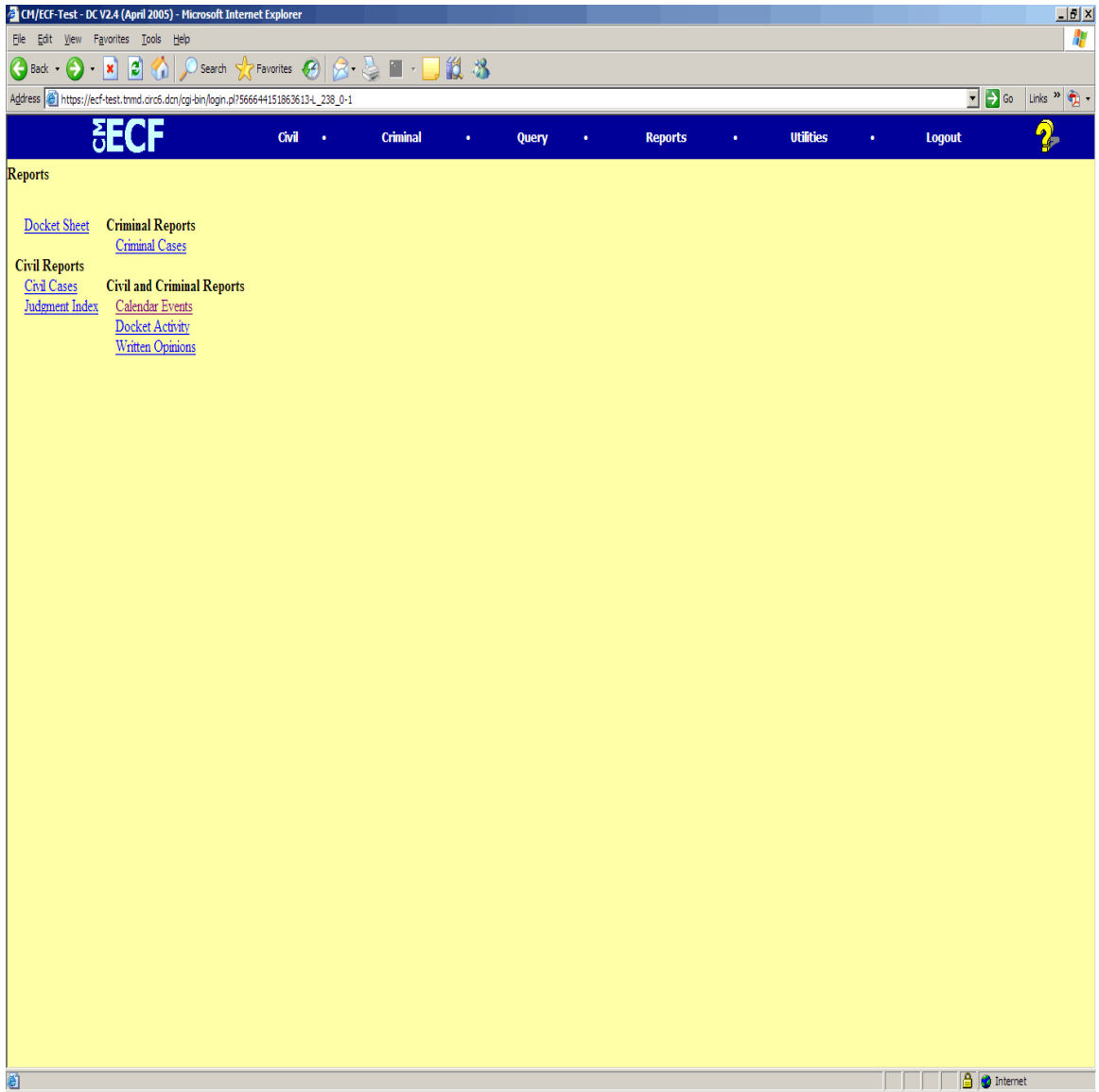


Figure 6-6

- B. Users may select the “Calendar Events” for a specific case without having to log onto PACER. However, if a user selects any other option, the user will be prompted to enter their PACER login and password before being permitted to continue. When PACER logins are required, the \$.08 per page fee may be assessed.

- C. Click on the “Civil Cases” feature under “Civil Reports,” and the screen in Figure 6-7 below will appear, providing the user with the means to search for cases meeting specific search criteria.

The screenshot shows a web browser window titled "CM/ECF-Test - DC V2.4 (April 2005) - Microsoft Internet Explorer". The address bar shows a URL starting with "https://ecf-test.bmd.crcs.don/cgi-bin/login.pl?". The page has a blue header with the "ECF" logo and navigation links: Civil, Criminal, Query, Reports, Utilities, and Logout. Below the header, the page is titled "Civil Cases Report". The search form includes several dropdown menus: "Office" (Columbia, Cookville), "Case type" (Civil, Miscellaneous), "Nature of suit" (0 (zero), 110 (Insurance)), "Case flags" (APPEAL, APPEAL TO SUPREME CO), and "Cause" (0 (No cause code entered), 02:0431 (02:431 Fed. Election...)). There are also date fields for "Filed" (4/13/2005) and "to" (4/20/2005). A "Terminal digit(s)" field contains "2, 4-7". Checkboxes for "Open cases" (checked) and "Closed cases" are present. A "Sort by" dropdown is set to "Case Number". Under "Output Format", "Formatted Display" is selected over "Data Only". At the bottom of the form are "Run Report" and "Clear" buttons. The browser's status bar at the bottom shows "Done" and "Internet".

Figure 6-7

- D. Enter the information to define the search, and the screen in Figure 6-8 below will appear, displaying those cases that satisfy the search criteria.

CH/ECF-Test - DC V2.4 (April 2005) - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites

Address https://ecf-test.bmd.crc6.don/cgi-bin/login.pl?1104334590943994_238_0-1 Go Links

ECF Civil Criminal Query Reports Utilities Logout ?

Civil Cases Report

U.S. District Court -- Middle District of Tennessee
 Filed Report Period: 3/21/2005 - 4/20/2005
 Entered Report Period: 3/21/2005 - 4/20/2005

Case Number/ Title	Case Dates	Days Pending	Notes
3:04-cv-00001 Throckmorton v. Frantz Throckmorton v. Frantz	Case filed: 04/18/2005	2	Cause: 42:1981 Civil Rights NOS: 440 Civil Rights: Other Office: Nashville Presider: Robert Echols Jury demand: Plaintiff

Total number of cases reported: 1

Selection Criteria for Report

Office	All
Case Type	All
Nature of Suit	All
Judge	All
Cause	All
Filed Date	3/21/2005 - 4/20/2005
Enter Date	3/21/2005 - 4/20/2005
Close Date	All
Case Flags	All
Terminal Digits	All
Open Cases	Yes
Closed Cases	No
Sort by	Case

Internet

Figure 6-8

Note 6-2: The cases that appear in Figure 6-8 are dependant on the search criteria entered in the previous Figure 6-7.

Note 6-3: The procedure described above is the same for criminal cases.

III. UTILITIES FEATURE. The Utilities feature provides the means for users to maintain their CM/ECF account, and to view their CM/ECF transactions history.

- A. Click on the [Utilities] feature in the menu at the top of the main CM/ECF Official Court Electronic Document Filing System screen and the screen in Figure 6-9 will appear.

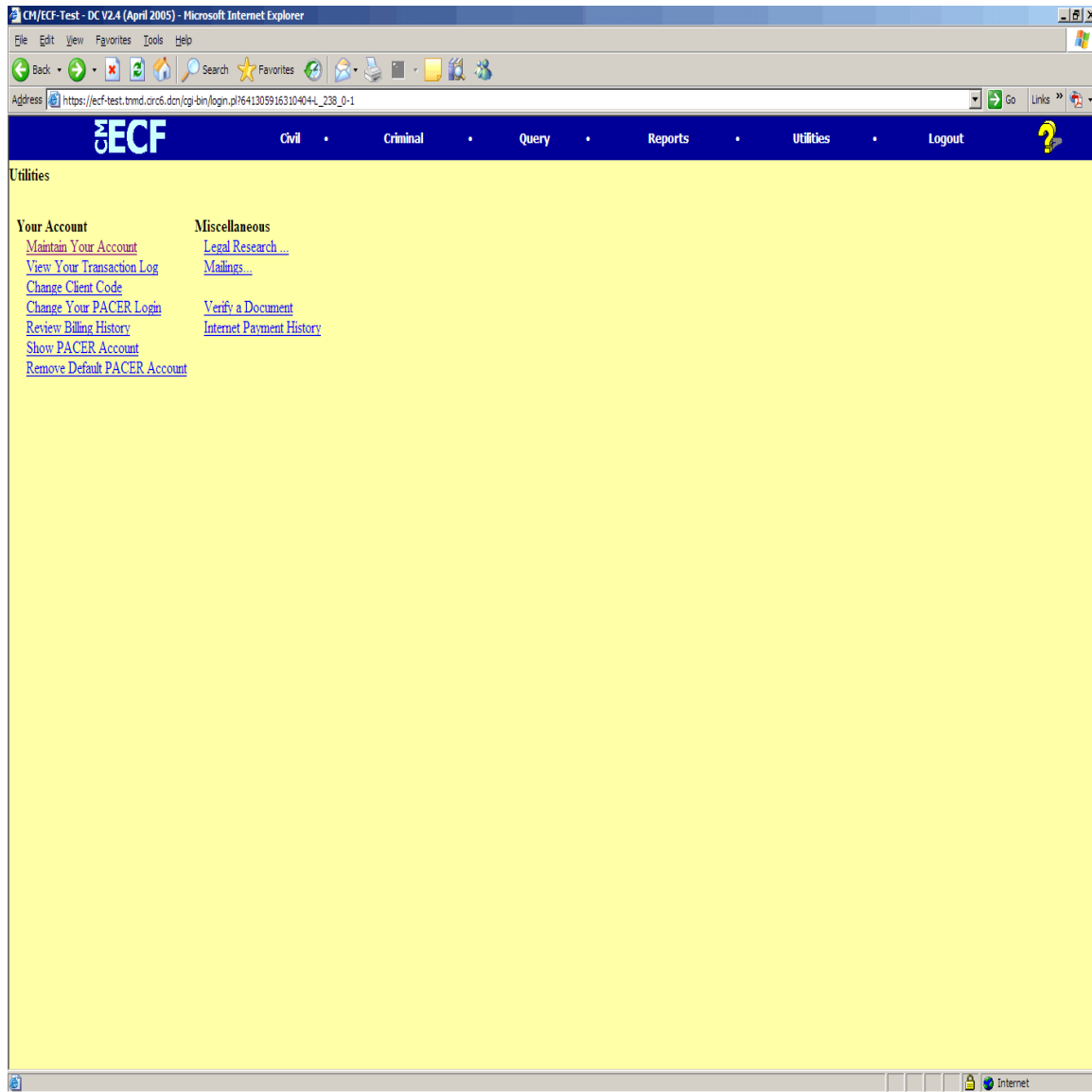


Figure 6-9

- B. Click on the [Maintain Your Account] feature to open the Maintain User Account screen shown in Figure 6-10 below. This screen displays the user's CM/ECF information, which the user may change as necessary.

CH/ECF-Test - DC V2.4 (April 2005) - Microsoft Internet Explorer

Address: https://ecf-test.bmd.crc6.dcn/cgi-bin/login.pl?105789749961374-L_238_0-1

ECF Civil Criminal Query Reports Utilities Logout

Maintain User Account

Last name: First name:
 Middle name: Generation:
 Gender: ATY Type:
 Title: Type:
 Bar number: ☒ Add Headers to PDF Documents
 Prisoner id:
 Office:
 Unit:
 Address 1:
 Address 2:
 Address 3:
 City: State: Zip:
 Country: County:
 Phone: Fax:
 Initials: DOB: AO code: End date:
 Civil ref style: Criminal ref style:
 Date sworn: Status:
 Email information... More user information...
 Submit Clear

Figure 6-10

Note 6-4: Do not change the user's mailing or e-mail address. To change either of these addresses, contact the Clerk's Office via telephone or by letter.

- C. As previously discussed, CM/ECF will e-mail Notice of Electronic Filing to parties, if their e-mail address is entered into the system. To verify those who are to receive Notice of Electronic Filing, or to add new recipients, click on the [E-mail information] button near the bottom of the screen in Figure 6-10 above, and the screen in Figure 6-11 will appear.

CM/ECF Test - DC V2.4 (April 2005) - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Address https://ecf-test.tnmd.crc6.don/cgi-bin/login.pl?1057897499613744_238_0-1

ECF Civil • Criminal • Query • Reports • Utilities • Logout ?

E-mail information for Rene Burris

Primary e-mail address

Send the notices specified below

☒ to my primary e-mail address

☐ to these additional addresses

☒ Send notices in cases in which I am involved

☐ Send notices in these additional cases

☒ Send a notice for each filing

☐ Send a Daily Summary Report

Format notices ☒ html format for Netscape or ISP e-mail service

☐ text format for cc:Mail, GroupWise, other e-mail service

Done Internet

Figure 6-11

- D. To send notices to additional e-mail addresses, click on the box adjacent to the line labeled, “to these additional addresses,” then enter the e-mail address of those additional individuals the user wants to notify regarding CM/ECF activity.
- E. To ensure that nothing is missed, the Court recommends that a secondary e-mail address be established that is either: 1) a central repository to which several people have access, or 2) someone with whom the user works closely, *e.g.*, a secretary, paralegal, etc.
- F. Users also may receive Notices of Electronic Filings in cases in which they are not the attorney of record. To do so, select the box adjacent to the line labeled, “Send notices in these additional cases,” and select the format in which notices are to be received at the bottom of the screen. To register the changes, click on the [Return to Account screen] button.
- G. To view the transaction log, click on the [View Your Transaction Log] button as shown in the previous Figure 6-9, and the screen in Figure 6-12 below will appear.

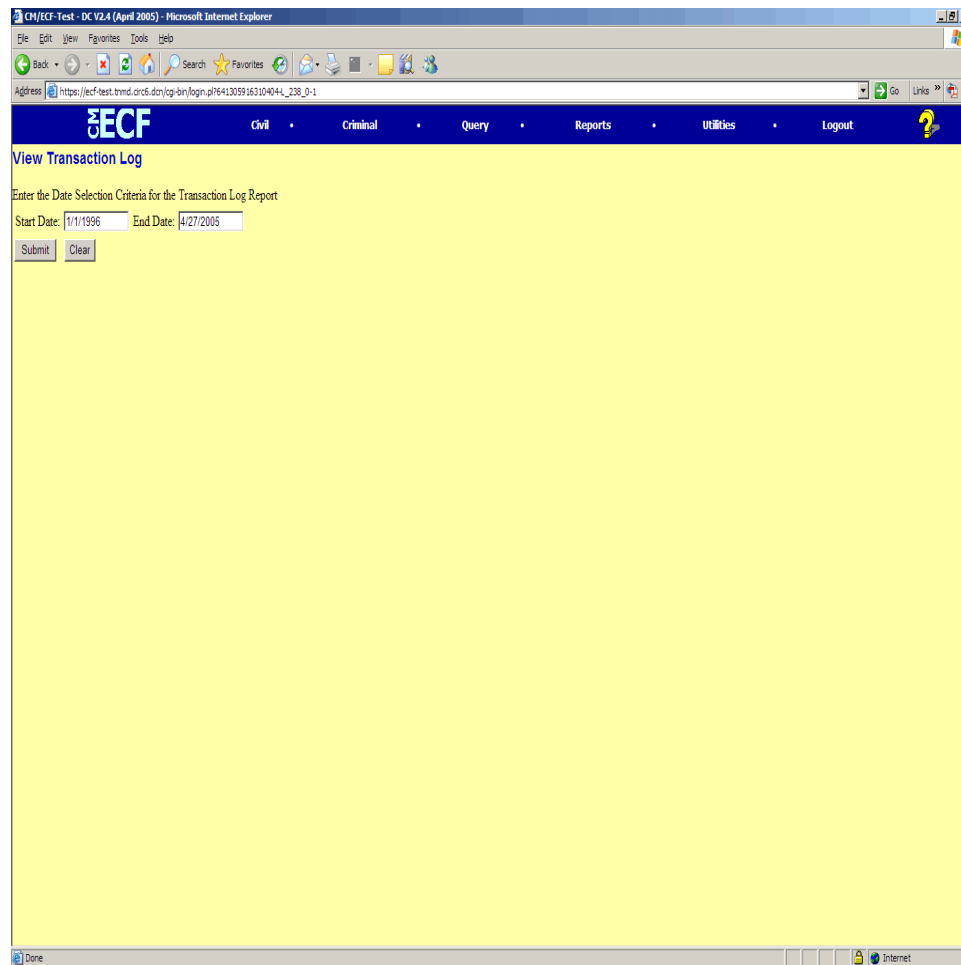


Figure 6-12

- H. Enter the time frame for the search, and click on the [Submit] button, and the screen in Figure 6-13 will appear.

Id	Date	Case Number	Text
123061	04/29/2005 11:17:30	3-04-cv-1	First MOTION set case for ICMC by Ann Frantz (Burnis, Rene)
123062	04/29/2005 11:22:15	3-04-cv-1	SUMMONS returned executed by Keith Throckmorton. Ann Frantz served on 4/29/2005, answer due 5/19/2005 (Burnis, Rene)
123064	04/29/2005 11:58:27	3-04-cv-1	MOTION for Preliminary Injunction by Keith Throckmorton. (Attachments: # (1) Exhibit Contract# (2) Exhibit Deposition# (3) Text of Proposed Order)(Burnis, Rene)

Total Number of Transactions: 3

Figure 6-13

The transaction log will show all transactions in the user's CM/ECF account for the time frame specified.

- I. The Miscellaneous feature of the Utilities function provides hotlinks to Westlaw, Lexis, and dictionaries of legal terms, as well as the other features identified.
- IV. LOGOUT. After completing the transactions in CM/ECF, exit by clicking on [Logout] in the menu at the top of the screen. The user will be returned to ECF/PACER Login screen.
- V. HELP. The help feature, denoted by the large question mark in the upper right corner of the CM/ECF menu provides on-line help. By placing the cursor in a particular field, and clicking on the question mark, CM/ECF will advise the user about the field. In other instances, the help feature will provide basic procedural instructions.

APPENDIX A

Local Rule 29: Electronic Case Filing

Rule 29
Electronic Case Filing

(a) Filing of Documents by Electronic Means. All attorneys practicing in the Middle District of Tennessee, including those admitted pro hac vice and those authorized to represent the United States, shall, absent good cause shown, register as Filing Users of the Electronic Filing System and file their documents by electronic means as set forth in Administrative Order No. 167, Administrative Practices and Procedures for Electronic Case Filing (ECF). A document filed by electronic means constitutes a written paper for the purposes of these Local Rules, the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure.

(b) Electronic Service of Filed Documents. Receipt of the Notice of Electronic Filing generated by the Court's Electronic Case Filing System (CM/ECF) shall constitute service of the electronically filed document on persons registered as Electronic Filing Users.

(1) A certificate of service must be included with all electronically filed documents stating that service was made upon Filing Users through the Electronic Filing System and further stating how service was accomplished on any party or counsel not served through the Electronic Filing System.

(2) Initial documents, such as a complaint and summons in a civil case, must be served in accordance with Rule 4 of the Federal Rules of Civil Procedure and not via the Court's Electronic Case Filing System (CM/ECF). Civil complaints, charging documents in criminal cases, and removal documents from State Court must be filed by Filing Users on paper in the traditional manner and not electronically and must be accompanied by a disk or CD-ROM containing the document in PDF format.

APPENDIX B

Administrative Order No. 167: Administrative Practices and Procedures for Electronic Case Filing

RECEIVED FOR ENTRY

APR 18 2005

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

A. Shantz
CLERK
DEPUTY CLERK

IN RE:)
ELECTRONIC CASE FILING) Administrative Order
PRACTICES AND PROCEDURES) No. 167

**ADMINISTRATIVE PRACTICES AND PROCEDURES
FOR ELECTRONIC CASE FILING (ECF)**

IT IS ORDERED that the attached Administrative Practices and Procedures for Electronic Case Filing are adopted for use in the United States District Court for the Middle District of Tennessee.

The complete text of the Administrative Practices and Procedures for Electronic Case Filing is available on the Court's web site at www.tnmd.uscourts.gov or may be requested by mail or in person at the United States District Court Clerk's Office, 801 Broadway, Room 800, Nashville, TN 37203.

IT IS SO ORDERED.

Robert L. Echols
ROBERT L. ECHOLS
Chief United States District Judge

Todd J. Campbell
TODD J. CAMPBELL
United States District Judge

Aleta A. Trauger
Aleta A. TRAUGER
United States District Judge

William J. Haynes, Jr.
WILLIAM J. HAYNES, JR.
United States District Judge

ADMINISTRATIVE PRACTICES AND PROCEDURES
FOR ELECTRONIC CASE FILING
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

1. Scope

Unless otherwise provided, these policies and procedures apply to all cases assigned by the Court to the Electronic Filing System.

2. Definitions

- 2.1 "Electronic Filing System" means the Court's automated system for receipt, retention and retrieval of documents filed in electronic form.
- 2.2 "Filing Error" means an error in submission of a filing to the Electronic Filing System, *e.g.*, a filing with an incorrect case number, with an incorrect docket entry or with the wrong PDF file attached to a docket entry.
- 2.3 "Filing User" means an individual registered with the Court to whom the Court has issued a login and password allowing the individual to access the Electronic Filing System for all permitted purposes.
- 2.4 "Notice of Electronic Filing" means the electronic notice generated by the Electronic Filing System which is e-mailed to participating Filing Users at the time a document is filed with the system. The Notice of Electronic Filing sets forth the time the document is filed, the names of the party and attorney filing the document, the type of document filed, the text of the docket entry describing the document as it will appear on the Court's docket, the name of each recipient of the Notice and an electronic link to the filed document allowing the recipients to retrieve the filed document.
- 2.5 "PACER" ("Public Access to Court Electronic Records") is an electronic public access service established by the Administrative Office of the United States Courts that allows access to federal court records, including those filed through the Electronic Filing System. Any person establishing a PACER account will be able to view, print and download information filed with the Electronic Filing System over the Internet.
- 2.6 "PDF" means Portable Document Format. PDF is the format in which electronically filed documents must be transmitted to the Electronic Filing System.

2.7 "Technical Failure" means a malfunction of the Court's Electronic Filing System or the telecommunications facilities through which the system is accessed which prevents a Filing User from filing a document electronically. Technical Failure does not include a malfunction of a Filing User's computer and/or telecommunications facilities which prevents a Filing User from electronically filing a document.

3. Cases Assigned To The Electronic Filing System

All civil, criminal and miscellaneous cases shall be assigned to the Electronic Filing System, unless exempted by the Court. Pro Se filers (e.g., a party not represented by an attorney) may not file electronically unless registered as a Filing User as provided in Section 7. Pro Se filers, unless authorized, are directed to file all documents on paper in the traditional manner.

4. Filing by Facsimile

The Clerk's Office will not accept any facsimile transmission unless ordered by the Court, in which case an original shall be promptly substituted.

5. Scope of Electronic Filing

5.01 General. Except as expressly provided herein, by local rule, by order of the Court or in exceptional circumstances, including a Technical Failure, a Filing User shall electronically file all documents required to be filed in all civil, criminal and miscellaneous cases.

5.02 Maximum Size of Filings. Filed documents cannot be greater than 2.5 MB in size. The system will alert the Filing User if the file is too large. Documents greater than 2.5 MB (approximately 40 pages) in size must be divided into separate documents less than 2.5 MB in size and should be filed as attachments to the primary document with an appropriate notation in the docket text.

5.03 Civil Complaints. Civil complaints must be filed by Filing Users on paper in the traditional manner and not electronically and must be accompanied by a disk or CD-ROM containing the document in PDF format. Attorneys are advised that, if there is a disparity between the paper document and the document on the disc or CD-ROM, the document provided on the disc or CD-ROM is controlling. All subsequent documents shall be filed electronically.

- 5.04 Charging Documents in Criminal Cases. Any indictment or information must be filed by Filing Users on paper in the traditional manner, not filed electronically, and must be accompanied by a disk or CD-ROM containing the documents in PDF format. Attorneys are advised that, if there is a disparity between the paper document and the document on the disc or CD-ROM, the document provided on the disc or CD-ROM is controlling. The electronic copy of charging documents, including the information, indictment, and superseding information or indictment, shall contain a scanned image of any legally required signature. All subsequent documents shall be filed electronically.

Criminal complaints shall be submitted to the Court on paper in the traditional manner and not electronically. Once the complaint has been properly executed and approved by the Court, it will be scanned in PDF format by the Clerk's Office.

- 5.05 Removal Documents. Notices of removal from State Court must be filed by Filing Users on paper in the traditional manner and not electronically and must be accompanied by a disk or CD-ROM containing the document in PDF format. Attorneys are advised that, if there is a disparity between the paper document and the document on the disc or CD-ROM, the document provided on the disc or CD-ROM is controlling. In addition, an electronic copy of all documents filed in the state court action, as required by 28 U.S.C. § 1441, *et seq.*, must be submitted on a disk or CD-ROM in PDF format. All subsequent documents shall be filed electronically.
- 5.06 Exhibits and Attachments. Filing Users shall file in electronic form all exhibits or attachments to filed documents, unless the Court permits filing in paper form.
- 5.07 Sealed Documents. A party seeking to file documents under seal must (1) electronically file a motion for leave of Court to do so via the Court's Electronic Filing System; and (2) by separate entry immediately thereafter, submit the proposed sealed documents by selecting the "Sealed Document" event option in the Court's Electronic Filing System. Any documents purported to be filed under seal without leave of Court will automatically become part of the public record. When documents are ordered to be placed under seal, the Clerk will officially file the documents and such documents will be electronically accessible only to the Court.
- 5.08 Proposed Orders. Any proposed orders should be included as an attachment to an electronically filed motion or other request for relief.

5.09 Administrative Record in Social Security Cases, State Court Record in Habeas Cases and Other Large Records. The administrative record in social security cases and the state court record in habeas cases shall be filed electronically, unless otherwise ordered by the Court. Upon approval of the Court, other large records may be filed on paper and not electronically.

5.10 Redaction of Personal Information from Complaint and Filed Documents. In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal identifiers from all documents filed with the Court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the Court.

(a) **Social Security numbers.** If an individual's social security number must be included in a document, only the last four digits of that number should be used.

(b) **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of the child should be used.

(c) **Dates of birth.** If an individual's date of birth must be included in a document, only the year should be used.

(d) **Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used.

(e) **Home Addresses.** If home addresses must be included in a document, only the city and state should be used.

Also in compliance with the E-Government Act of 2002, a party seeking to file a document containing the personal data identifiers listed above may, with permission of the Court sought pursuant to a motion to file under seal:

(a) file an unredacted version of the document under seal, or

(b) file a reference list under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete personal data identifier. The reference list must be filed under seal, and may be amended as of right.

The unredacted version of the document or the reference list shall be retained by the Court as part of the record. The Court may, however, still require the party to file a redacted copy for the public file.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk's Office will not review each pleading for compliance with the required procedures.

6. Effect of Electronic Filing

Electronic transmission of a document to the Electronic Filing System, together with the transmission of a Notice of Electronic Filing from the Court, constitutes filing of the document for all purposes under the Federal Rules of Civil and Criminal Procedure and the Local Rules of this Court, and constitutes entry of the document on the docket kept by the Clerk under Fed.R.Civ.P. 58 and 79 and Fed.R.Crim.P. 49 and 55.

Each electronically filed document, as stored by the Court, becomes a part of the Court's official record and the filing party is bound by the document as filed. An electronically filed document is deemed filed as of the date and time stated in the Notice of Electronic Filing generated by the Electronic Filing System.

Filing a document electronically does not alter the filing deadline for that document. In order for a document to be considered timely filed on a deadline date, the filing must be completed on the deadline date before midnight (local time at the Court's location).

7. Registration and Passwords

Only a registered Filing User may electronically file documents with the Electronic Filing System.

Attorneys practicing before the Court, including those admitted pro hac vice and those authorized to represent the United States, shall, absent good cause shown, register as Filing Users of the Electronic Filing System. Registration shall be in the form prescribed by the Clerk and require each registrant's name, address, telephone number, Internet e-mail address and a confirmation that the attorney is admitted to practice before the Court. The registration form is available on the Court's web site at <http://www.tnmd.uscourts.gov/register.html>. Registrants shall also have a PACER account and certify that they have read the Electronic Case Filing Practices and Procedures and will abide by them.

A party to an action who is not represented by an attorney may, with the Court's permission, register as a Filing User solely for purposes of that action. Registration shall be in a form prescribed by the Clerk and shall require identification of the action as well as the party's name, address, telephone number and Internet e-mail address. If, during the course of the proceeding, the party retains an attorney who is a registered Filing User, the attorney shall, upon

entering an appearance, advise the Clerk to terminate the party's Filing User registration.

Registration as a Filing User constitutes consent to electronic service of all documents as provided herein, by the Local Rules of the Court and by any applicable rule of procedure.

Once registration is completed, the Court will send the Filing User an electronic confirmation of the assignment of a login and password.

No Filing User or other person may knowingly permit a Filing User's login and password to be used by anyone other than the Filing user or an authorized agent.

Filing Users agree to protect the security of their passwords and immediately notify the Clerk if they learn that their password has been compromised. Filing Users may be sanctioned by the Court for failure to comply with this provision. In the event a Filing User believes the security of an existing password has been compromised and a threat to the Electronic Filing System exists, the Filing User shall immediately give notice by telephone to the ECF Help Desk at (615) 695-2888 so the Clerk's Office can render the password invalid. Filing Users giving telephonic notice that a password has been compromised shall also confirm that notice electronically to cmecf@tnmd.uscourts.gov.

Training will be offered at the courthouse on a regular basis. Please see the Court's web site at <http://www.tnmd.uscourts.gov> for a current training schedule or call (615) 695-2888.

All attorneys admitted to the Court pursuant to Local Rule 1(c) after the effective date of these Administrative Practices and Procedures for Electronic Case Filing shall participate in Court approved Electronic Case Filing training within sixty (60) days of admission to the Court.

8. Signatures

Use of the login and password issued to a Filing User to effect the electronic filing of a document shall serve as the Filing User's signature on that document for all purposes, including those of Fed.R.Civ.P. 11.

Electronically filed documents shall set forth the Filing User's name, address, telephone number and Board of Professional Responsibility registration number. In addition, the Filing User's name shall be (1) typed in the space where the signature would otherwise appear preceded by the symbol "s/"; or (2) inserted by facsimile signature.

A document containing the signature of a defendant in a criminal case may, at the option of the presiding Judge, be filed: (1) in paper form with an original written signature; or (2) in electronic form as a scanned image of the document containing an image of the defendant's original signature.

In order to file a document required to contain the signature of more than one person, the Filing User shall: (1) file a scanned image of the document containing all necessary signatures; (2) file the document without the requisite signatures but with a representation by the Filing User that all signatories have consented to the filing of the document; or (3) file the document in any other manner approved by the Court.

Documents requiring an original signature other than that of the Filing User (e.g., affidavits and declarations) shall be filed by transmitting a scanned image of the document to the Electronic Filing System in PDF format.

A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signatures must file an objection to the document within ten (10) days of the Notice of Electronic Filing.

9. Service of Electronically Filed Documents

Pursuant to Fed. R. Civ. P. 5(b)(2)(D) and Fed. R. Crim. P. 49(b), the Notice of Electronic Filing generated by the Court's Electronic Case Filing System (CM/ECF) shall constitute service of the electronically filed document on persons registered as Electronic Filing Users.

A certificate of service must be included with all electronically filed documents stating that service was made upon Filing Users through the Electronic Filing System and further stating how service was accomplished on any party or counsel not served through the Electronic Filing System.

Initial documents, such as a complaint and summons in a civil case, must be served in accordance with Rule 4 of the Federal Rules of Civil Procedure and not via the Court's Electronic Case Filing System (CM/ECF).

10. Notice of Court Orders and Judgments

Immediately upon the entry of an order or judgment in a case assigned to the Electronic Filing System, the Clerk shall electronically transmit to Filing Users participating in the case a Notice of Electronic Filing. Electronic transmission of the Notice of Electronic Filing by the Clerk to the participating Filing Users shall constitute notice as required by Fed.R.Civ.P. 77(d) and Fed.R.Crim.P. 49(c). The Clerk shall give notice in paper form in accordance with the applicable rule of

procedure to a party who has been exempted by the Court from participating in electronic service.

11. Filing and Issuance of Court Documents

All orders, decrees, judgments, and other court-issued documents shall be electronically entered in accordance with these procedures. Upon entry, such documents will be deemed to have been entered on the Court's docket under Fed.R.Civ.P. 58 and 79 and Fed.R.Crim.P. 49 and 55. Any order or other court-issued document entered electronically without the handwritten signature of a Judge or Clerk has the same force and effect as if the Judge or Clerk had signed a paper copy of the document and it had been entered on the docket in paper form.

The Court may enter text only orders as entries on the Court's docket without entering a separate PDF-based order in the Electronic Filing System. Such orders are complete as they appear on the docket and are official and binding upon the parties.

12. Technical Failures

A Filing User whose filing is made untimely as the result of a Technical Failure may seek appropriate relief from the Court.

13. Filing Errors

The Electronic Filing System will not allow a Filing User to correct a filing after it has been electronically submitted. Filing Users shall report Filing Errors to the Clerk's Office. If appropriate, the Clerk will make an entry in the Electronic Filing System indicating the document was filed in error. Filing Users may be required to re-file the document or may file a motion requesting relief.

14. Public Access

Members of the public may review docket sheets and unsealed documents contained in the Electronic Filing System at the Clerk's Office or through the Court's Internet site, www.tnmd.uscourts.gov, after opening a PACER account.

15. Retention Requirements

An electronically filed document that requires an original signature other than that of the Filing User (e.g., affidavits and declarations) shall be maintained in paper form by counsel representing the party on whose behalf the document was filed for one year after all time periods for all appeals expire. On request of the Court, counsel must provide the original document for review.

APPENDIX C

ECF Registration Form

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE**

ELECTRONIC FILING ATTORNEY REGISTRATION FORM

This form is used to register for an account on the Middle District of Tennessee Electronic Filing System (CM/ECF). Registered attorneys will have privileges to electronically submit documents and to view the electronic docket sheets and documents. By registering, attorneys consent to receiving electronic notice of filings through the system. The following information is required for registration:

First Name: _____ Middle Name: _____

Last Name: _____

If appropriate indicate Jr., Sr. etc. _____

Date Admitted to Tennessee Supreme Court: _____ Bar ID Number: _____

Are you currently in good standing? Yes _____ No _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Voice Telephone Number: (_____) _____ Fax Number: (_____) _____

Internet E-Mail Address: _____

Attorneys seeking to file documents electronically must be admitted to practice in the United States District Court for the Middle District of Tennessee. Please complete which applies.

Date admitted to practice in this Court: _____

If U.S. Department of Justice Attorney check here: _____

If admitted pro hac vice: Date motion for pro hac vice was granted: _____

Case number: _____

By submitting this form, the undersigned agrees to abide by all Court rules, orders, policies and procedures governing the use of the electronic filing system. The undersigned also consents to receiving notice of filings pursuant to Fed. R. Civ. P. 5(b) and 77(d) and Fed.R.Crim.P. 49(b)-(d) via the Court's electronic filing system. The undersigned further certifies that they have read and understood the Court's Administrative Practices and Procedures for Electronic Case Filing, which are available through the CM/ECF link at the Court's website at: <http://www.tnmd.uscourts.gov>.

Signature of Registrant

Date submitted: _____

Once your registration is complete, you will receive notification by e-mail as to your user ID and password.

All attorneys admitted to the Court pursuant to Local Rule 1(c) after the effective date of the Administrative Practices and Procedures for Electronic Case Filing shall participate in Court approved Electronic Case Filing training within sixty (60) days of admission to the Court. Training class schedules are available at the Court's website at <http://www.tnmd.uscourts.gov>.

This form can be sent to ATTN: CM/ECF Registration Form, U.S. District Court, 801 Broadway, Room 800, Nashville, TN 37203 or turned in at the Intake Department at the Nashville Courthouse.

APPENDIX D

Civil and Criminal Event Lists

Civil Menu for Attorney Users
Initial Pleadings and Service (REVISED 8/4/05)

Complaint and Other Initiating Documents

Amended Complaint
Application for Stay of Execution
Application for Writ of Garnishment
Counterclaim
Crossclaim
Intervenor Complaint
Third-Party Complaint

Service of Process

Acknowledgment of Service
Affidavit of Service
Certificate of Service
Request for Waiver of Service
Service by Publication
Summons Returned Executed
Summons Returned Executed as to USA
Summons Returned Unexecuted
Writ of Habeas Corpus ad Prosequendum Executed
Writ of Habeas Corpus ad Prosequendum Unexecuted
Writ of Habeas Corpus ad Testificandum Executed
Writ of Habeas Corpus ad Testificandum Unexecuted

Answers to Complaint

Answer to Complaint
Answer to Amended Complaint
Answer to Counterclaim
Answer to Crossclaim
Answer to Intervenor Complaint
Answer to Third Party Complaint
Answer to Petition for Writ of Habeas Corpus
Answer to Petition to Enforce IRS Summons
Answer to Petition to Perpetuate Testimony
Answer to Social Security Complaint

Other Answers

Affidavit in Opposition
Affidavit in Support
Amended Answer to Complaint
Answer to Complaint (Notice of Removal)
Answer to Writ of Garnishment
Claim
Objection to Report & Recommendation
Withdrawal of Claim

Civil Menu for Attorney Users (Continued)
Motions and Related Filings (REVISED 8/4/05)

Motions

Alter Judgment	Leave to File Document Under Seal
Amend/Correct	Letters Rogatory
Appeal In Forma Pauperis	Limited Admission
Appear	Miscellaneous Relief
Appear Pro Hac Vice	More Definite Statement
Appoint Counsel	New Trial
Appoint Custodian	Order of Sale
Appoint Expert	Partial Summary Judgment
Appoint Guardian/Attorney ad Litem	Permanent Injunction
Appoint Receiver	Preliminary Injunction
Approve Consent Judgment	Proceed In Forma Pauperis
Ascertain Status	Produce
Attorney Fees	Protective Order
Bifurcate	Quash
Bond	Reassign Case
Certificate of Appealability	Reconsideration
Certify Class	Recusal
Change Venue	Release of Bond Obligation
Clarify	Release of Funds
Compel	Remand
Consolidate Cases	Remand to Agency
Contempt	Remand to Bankruptcy Court
Continue	Remand to State Court
Declaration of Mistrial	Reopen Case
Declaratory Judgment	Return of Property
Default Judgment	Review
Deposit Funds	Sanctions
Directed Verdict	Seal
Disbursement of Funds	Seal Case
Disclosure	Service by Publication
Discovery	Set Aside
Dismiss	Set Aside Default
Dismiss Case as Frivolous	Set Aside Forfeiture
Dismiss/Lack of Jurisdiction	Set Aside Judgment
Dismiss/Lack of Prosecution	Set Aside Verdict
Disqualify Counsel	Settlement
Disqualify Judge	Sever
Disqualify Juror	Show Cause
Enforce Judgment	Stay
Entry of Default	Strike
Expedite	Substitute Attorney
Extension of Time to Amend	Substitute Party
Extension of Time to Complete Discovery	Summary Judgment
Extension of Time to File Answer	Take Deposition
Extension of Time to File Document	Taxation of Costs
Extension of Time to File Response/Reply	Temporary Restraining Order
File Excess Pages	Unseal Case
Forfeiture of Property	Unseal Document
Hearing	Vacate
In Limine	Withdraw
Intervene	Withdraw as Attorney
Issuance of Warrant in Rem	Writ
Joinder	Writ of Garnishment
Judgment Based on ADR Settlement	Writ of Habeas Corpus ad Prosequendum
Judgment Debtor Exam	Writ of Habeas Corpus ad Testificandum
Judgment as a Matter of Law	Writ of Mandamus
Judgment of Forfeiture	
Judgment on Partial Findings	<u>Responses and Replies</u>
Judgment on the Pleadings	Affidavit in Opposition of Motion
Judgment on the Record (<i>SSA/ERISA Cases</i>)	Affidavit in Support of Motion
Judgment under Rule 54(b)	Reply to Response to Motion
Leave	Response in Opposition to Motion
Leave to Appeal	Response in Support of Motion
	Response

Civil Menu for Attorney Users (Continued)
Other Filings (REVISED 8/4/05)

ADR Documents

Consent to Arbitration
Consent to Mediation
Objection to Report of Arbitrator/Mediator
Report of Mediation
Request for Trial De Novo

Discovery Documents *(See Local Rule 9(c)(1): Pursuant to the provisions of Rule 5(d) of the Federal Rules of Civil Procedure, depositions, interrogatories, requests for documents, requests for admissions, and answers and responses thereto shall not be filed with the Clerk's office, except in support of or in opposition to a motion or by order of the Court.)*

Answers to Interrogatories
Deposition
Discovery Dispute Statement
Interrogatories Propounded
Notice to take Deposition
Request for Admissions
Request for Production of Documents
Response to Discovery Request

Notices

Certificate of Counsel
Notice (Other)
Notice of Acceptance of Offer of Judgment
Notice of Appearance
Notice of Application for Writ
Notice of Change of Address
Notice of Consent of the Parties
Notice of Filing
Notice of Lis Pendens
Notice of Removal
Notice of Settlement
Notice of Voluntary Dismissal

Trial Documents

Agreement for Jury Verdict
Exhibit List
Proposed Findings of Fact
Proposed Jury Instructions
Proposed Voir Dire
Trial Brief
Witness List

Appeal Documents

Appeal Transcript Request
Appeal of Magistrate Judge's Decision to District Court
Appellant's Brief
Appellant's Reply Brief
Appellee's Brief
Designation of Record on Appeal
Notice of Appeal
Notice of Cross Appeal
Notice of Interlocutory Appeal
Subsequent Notice of Appeal

Other Documents

Additional Attachments to Main Document
Affidavit
Amended Document (NOT motion)
Amicus Curiae Appearance
Appendix
Application for Writ
Bill of Costs
Brief (non-appeal)
Certificate
Consent to Magistrate Judge Disposition on Motion
Corporate Disclosure Statement
Declaration
Financial Affidavit
Financial Affidavit CJA23
Interpleader
Jury Demand
Letter
Memorandum in Support
Objections
Objections to Answer to Writ
Pretrial Memorandum
(* General Proposed Orders-See below)
Proposed Case Management Order
Proposed Order of Dismissal
Proposed Pretrial Order
Redacted Document
Redaction Index
Reply
Report of Rule 26(f) Planning Meeting
Response (Non-Motion)
Response
Response to Order to Show Cause
Satisfaction of Judgment
Sealed Document (*docket Motion for Leave to File Document under Seal in conjunction with this event, unless otherwise ordered by the Court*)
Settlement Agreement
Statement
Status Report
Stipulation
Stipulation of Dismissal
Subpoena
Suggestion of Bankruptcy
Suggestion of Death
Supplement
Transcript Request

*Pursuant to Administrative Order No. 167 on Electronic Case Filing Practices and Procedures, Section 5.08, Proposed Orders should be included as an attachment to an electronically filed motion or other request for relief. If the Court orders that counsel submit a proposed order, it should be submitted as an attachment to a Notice of Filing.

Criminal Menu for Attorney Users
Motions and Related Filings (REVISED 9/12/05)

Motions

Acquittal
Alter Judgment
Amend/Correct
Appeal In Forma Pauperis
Appear
Appear Pro Hac Vice
Appoint Counsel
Appoint Expert
Bifurcate
Bill of Particulars
Bond
Brady Materials
Certificate of Appealability
Chance of Venue
Compel
Consolidate Cases
Continue
Declaration of Mistrial
Deferral of Prosecution
Detention
Directed Verdict
Disclosure
Discovery
Dismiss
Dismiss/Lack of Jurisdiction
Dismiss/Speedy Trial
Disqualify Counsel
Disqualify Judge
Disqualify Juror
Early Termination of Probation
Exclude
Expedite
Extension of Time to File Document
Extension of Time to File Response/Reply
Extension of Time to Indict
File Amicus Brief
File Excess Pages
Forfeiture of Property
Handwriting Exemplars
Hearing
In Limine
Inspect
Joinder
Judicial Recommendation Against Deportation
Leave to Appeal
Leave to File Document Under Seal
Medical Exam
Medical Treatment
Miscellaneous Relief
Modify Conditions of Release
New Trial
Order of Competency to Stand Trial
Produce
Protective Order
Psychiatric Exam

Psychiatric Treatment
Quash
Quash Indictment/Information
Reconsideration
Recusal
Reduce Sentence
Release Bond Obligation
Release from Custody
Release of Fund
Return of Property/PostTrial
Return of Property/PreTrial
Return of Surety
Revoke
Sanctions
Seal
Seal Case
Seal Document
Separate Trial on Counts
Service by Publication
Set Aside Forfeiture
Set Aside Judgment
Set Aside Sentence
Set Aside Verdict
Sever Defendant
Show Cause
Show Cause re Revocation of Probation
Show Cause re Revocation of Supervised Release
Special Appearance
Speedy Trial
Strike
Substitute Attorney
Suppress
Take Deposition
Travel
Unseal Case
Unseal Document
Vacate
Warrant
Withdraw Document
Withdraw Plea of Guilty
Withdraw Plea of Nolo Contendere
Withdraw as Attorney
Writ
Writ of Habeas Corpus ad prosequendum
Writ of Habeas Corpus ad testificandum

Responses & Replies

Affidavit in Opposition to Motion
Affidavit in Support of Motion
Memorandum in Support
Reply to Response
Response in Opposition
Response in Support
Response to Motion

Criminal Menu for Attorney Users (Continued)

Other Filings (REVISED 9/12/05)

Discovery Documents

Demand for Alibi Witness
Demand for Public Authority Witness
Notice of Alibi
Notice of Alibi Witness
Notice of Error or Defect
Notice of Insanity Defense
Notice of Insanity Witness
Notice of Intent to Use Evidence
Notice of Issue of Foreign Law
Notice of Public Authority Defense
Notice of Public Authority Opposition Witness
Withdrawal of Alibi
Withdrawal of Insanity Defense
Withdrawal of Insanity Witness
Withdrawal of Public Authority Defense

Waivers

Waiver of Counsel
Waiver of Indictment
Waiver of Interstate Agreement on Detainers
Waiver of Minimum Time to Trial
Waiver of Preliminary Examination or Hearing
Waiver of Presence at Arraignment
Waiver of Presentence Investigation Report
Waiver of Rule 40 Hearings
Waiver of Speedy Trial
Waiver of Trial by Jury

Service of Process

Application for Writ of Habeas Corpus ad Prosequendum
Application for Writ of Habeas Corpus ad Testificandum
Certificate of Service

Notices

Deferral of Prosecution
Nolle Prosequi
Notice (Other)
Notice of Attorney Appearance - Defendant
Notice of Attorney Appearance - USA
Notice of Intent to Seek Death Penalty
Notice to Resume Prosecution

Trial Documents

Exhibit List
Proposed Jury Instructions
Proposed Voir Dire
Request for Special Findings of Fact
Stipulation to Jury
Trial Brief
Witness List

Appeal Documents

Appeal of Magistrate Judge Decision to District Court - Criminal Case

Appeal of Magistrate Judge Decision to District Court - Magistrate Judge Case
Defendant Brief
Defendant Reply Brief
Designation of Record on Appeal
Government Brief
Government Reply Brief
Notice of Appeal - Conditions of Release
Notice of Appeal - Final Judgment
Notice of Appeal - Interlocutory
Notice of Docketing appeal from Magistrate Judge Decision
Transcript Request - Appeal

Other Documents

Additional Attachments to Main Document
Affidavit
Affidavit - Rule 40
Bill of Particulars
Certificate of Good Standing
Consent to Inspection of PSI
Consent to Magistrate Judge Disposition on Motion
Consent to Trial Before US Magistrate Judge
Financial Affidavit - CJA23
Information to Establish Prior Conviction
Letter
Objection to Presentence Investigation Report
Pretrial Memorandum
Redacted Document
Redaction Index
Response to Order to Show Cause
Sealed Document
Sentencing Position
Status Report
Transcript Request
Withdrawal of Motion

APPENDIX E

Attaching Large Exhibits

INSTRUCTIONS FOR ATTACHING LARGE EXHIBITS

TO DOCKET ENTRIES

Attaching large exhibits to a docket entry can be a time-consuming process. To assist you, an event has been created called: **“Additional Attachments to Main Document”**. This event is available under the “Civil” > “Other Filings” docket event in ECF. This event will assist in the prevention of mistakes and upload failures.

Before we begin, here are some important facts to consider:

1. If you are scanning exhibits, make sure your scanner is set to 200 DPI. Resolutions higher than 200 DPI will only increase your file size and will not add value to the scanned image. In addition, do not use color scans unless color is important for the presentation of the document. In general, black and white is all that is needed and will provide for much smaller scanned files sizes than color scans. The files sizes estimated within this document are based upon black and white scans.
2. ECF will not accept a PDF document that is greater than 2.5 megabytes in size. A 40-page exhibit scanned at 200 DPI is about 2.5 megabytes in size. As a general rule, you may want to keep your files sizes at or below 2.45 megabytes to make sure you do not exceed the limit. An error will occur during the upload process if the exhibit is larger than 2.5 megabytes in size. You will have to start over. Please check your file sizes before you begin the upload and remember that the system will time-out if the upload takes longer than ***one hour!*** An efficient scan of your original document will save you hours of work.
3. You can attach several exhibits to a single docket entry. The sum of the complete entry may be greater than 2.5 megabytes, but the individual PDF exhibit files must be 2.5 or less megabytes in size. The first line in Figure 1, Image 1 on the next page represents three exhibits to a docket entry. Each exhibit is 2.5 megabytes or less and the sum of their file sizes equals 5.5 megabytes. This entry will be accepted by the ECF system. The second line in Figure 1, Image 2 also contains three exhibits and the sum of their file sizes equals 5.5 megabytes, but this entry will be rejected because the file size of exhibit 2 is greater than 2.5 megabytes.

Figure 1, Image 1 (ECF WILL ACCEPT!)

Exhibit 1

1.7 Megabytes



Exhibit 2

1.4 Megabytes



Exhibit 3

2.4 Megabytes = 5.5 Megabytes



Figure 2, Image 2 (ECF WILL NOT ACCEPT!)

Exhibit 1

1.0 Megabytes



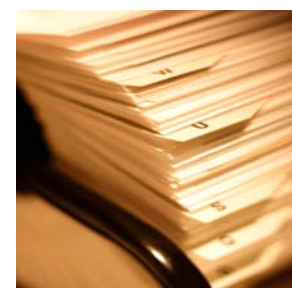
Exhibit 2

3.5 Megabytes (Too Big)



Exhibit 3

1.0 Megabytes = 5.5 Megabytes



Assume for this example that you need to file a **Motion for Summary Judgment** with the following exhibits:

1. Exhibit 1 - Affidavit
2. Exhibit 2 - Excerpts from Deposition, Pages 1 & 7
3. Exhibit 3 - Graphs (120 pages)
4. Exhibit 4 - Population Index from USPW 2005 (240 pages)
5. Exhibit 5 - Deposition from Witness (20 pages)
6. Exhibit 6 - Excerpts from Deposition, Pages 2 & 6

If all of your exhibits are small, you could docket the **Motion for Summary Judgment** and attach all 6 exhibits. However, since some of the exhibits in the above list would exceed the file size limitation of 2.5 megabytes, for this example you will need to do some advanced planning on how to best submit all of your exhibits. Note that based upon the average of 40 scanned pages equaling 2.5 megabytes, exhibit 3 would scan to a file of approximately 7.5 megabytes in size. Exhibit 4 would scan to a file approximately 15 megabytes in size. The ECF system would reject both files as too large. It therefore will be necessary to split these two exhibits into separate files of less than 2.5 megabytes in size. In addition, because ECF will “timeout” if a file transmission takes longer than 1 hour, it would be advisable to submit the exhibit files in separate batches. In the example below, the first batch of exhibits are submitted in the same docketing event as the **Motion for Summary Judgment**. The second two batches of exhibits are submitted immediately following the submission of the **Motion for Summary Judgment** using the “**Additional Attachments to Main Document**” event.

The exhibits can be successfully filed by breaking them up as follows. Log in to ECF and first docket your **Motion for Summary Judgment**. When docketing the motion, you will see a button asking you whether there are attachments. Click on the button to indicate that there are attachments. Once you have browsed to the PDF file containing the motion and have selected it and uploaded it, you will next be prompted to browse to the first attachment. In this case, the first attachment is exhibit 1 in its entirety since the file size is less than 2.5 megabytes based upon the forty scanned pages formula. Browse to and add exhibit 1 to your filing. Next, browse to and add exhibit 2 to your filing. Since exhibit 3 would have created too large a file to be successfully uploaded, it was broken up and scanned into three 40 page PDF files. The next attachment you will add will be the first of those 3 sections. When you add these sections, make sure to use the text field in ECF to describe them. For example, under “Type”, select “Exhibit”. Using the short text field available next to the “Type” description feature, enter “Exhibit 3 - Graphs, pp. 1-40” as indicated below. Repeat that procedure until you have completed uploading all parts of exhibit 3. In our example, we have decided to limit the first submission of the motion and exhibits to include all parts through exhibit 3. We did this to avoid the “timeout” described above. At this point, we will not add any further attachments but will instead proceed to complete the filing of the **Motion for Summary Judgment** through the committing of the transaction screen and the generation of the **Notice of Electronic Filing**. Once that has been done, the remaining exhibits are submitted by going back to the “Civil” menu option, selecting “**Other Documents**” from under the “**Other Filings**” section, and then choosing the “**Additional Attachments to Main Document**” event from the drop-down list.

This is how it works:

1. Return to the **“Civil”** menu option in ECF. Select the **“Other Documents”** option and choose the **“Additional Attachments to Main Document”** event. You will need to submit to be filed as the main document a short description of the exhibits. An example is attached to this reference as Attachment “A”. This document need not be complex - just include the case caption and a description of the exhibits to be filed with it. Browse for this document as you browsed for the Motion for Summary Judgment in the earlier example and select it. Then click the “Yes” button to indicate that there will be attachments. Then continue to add your individual attachments as you did before. In this example, we will add the PDF files that were created after scanning Exhibit 4 into 40 page PDF documents as indicated below.
 - a. Exhibit 4 - Population Index from USPW 2005 (browse for exhibit 4, pp. 1-40)
 - b. Exhibit 4 - Population Index from USPW 2005 (browse for exhibit 4, pp. 41-80)
 - c. Exhibit 4 - Population Index from USPW 2005 (browse for exhibit 4, pp. 81-100)
 - d. Exhibit 4 - Population Index from USPW 2005 (browse for exhibit 4, pp. 101-140)
 - e. Exhibit 4 - Population Index from USPW 2005 (browse for exhibit 4, pp. 141-180)
 - f. Exhibit 4 - Population Index from USPW 2005 (browse for exhibit 4, pp. 181-200)
 - g. Exhibit 4 - Population Index from USPW 2005 (browse for exhibit 4, pp. 201-240)

Once again, due to the large sizes of the files to be uploaded, we have decided to limit the number of files uploaded at one time to just those that together make up our example exhibit 4. We will complete the submission of this second batch of exhibits to the committing of the transaction and the generation of the Notice of Electronic Filing. When that is finished, we will go back to the **“Additional Attachments to Main Document”** event one more time to complete the filing of our exhibits. That is done as follows:

2. Return to the **“Civil”** menu option in ECF. Select the **“Other Documents”** option and choose the **“Additional Attachments to Main Document”** event. Once more, you will need to submit to be filed as the main document a short description of the exhibits. An example is attached to this reference as Attachment “B”. Browse to this document and select it. Then click the “Yes” button to indicate that there will be attachments. Then continue to add your individual attachments as you did before. In this example, we will add the PDF files containing exhibits 5 and 6. Add as attachments:
 - a. Exhibit 5 - Deposition from Witness (browse for exhibit 5)
 - b. Exhibit 6 - Excerpts from Deposition, Pages 2 & 6 (browse for exhibit 6)

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Keith Throckmorton)	
)	
v.)	3:04-0001
)	Judge Campbell
)	
Ann Frantz)	

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ADDITIONAL ATTACHMENTS TO MOTION FOR SUMMARY JUDGMENT

Exhibit 4 - Population Index from USPW 2005, pp. 1-40
Exhibit 4 - Population Index from USPW 2005, pp. 41-80
Exhibit 4 - Population Index from USPW 2005, pp. 81-100
Exhibit 4 - Population Index from USPW 2005, pp. 101-140
Exhibit 4 - Population Index from USPW 2005, pp. 141-180
Exhibit 4 - Population Index from USPW 2005, pp. 181-200
Exhibit 4 - Population Index from USPW 2005, pp. 201-240

ATTACHMENT A

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Keith Throckmorton)	
)	
v.)	3:04-0001
)	Judge Campbell
)	
Ann Frantz)	

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ADDITIONAL ATTACHMENTS TO MOTION FOR SUMMARY JUDGMENT

Exhibit 5 - Deposition from Witness

Exhibit 6 - Excerpts from Deposition, Pages 2 & 6

ATTACHMENT B